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ABSTRACT

This guide is intended to assist Job Training Partnership Act (JTPA) program policymakers, planners, and program operators to understand the provisions and possibilities afforded by the JTPA. The first section provides an overview of the JTPA. Discussed next are the following aspects of the JTPA planning and administration system: federal funding structure, state planning and operating structure, state job training coordinating council, service delivery areas, state planning documents, and a topical outline of a state plan. A chapter on local JTPA planning examines developing a JTPA training plan and topical outline for a job training plan; reviewing, contesting, and approving plans; and identifying and using sources of information and assistance. An index to significant federal regulations passed between January 1, 1983, and March 15, 1986, is included. Appendixes to the guide include information about the staff, services, workshops, and publications of the Center for Community Futures. (MN)

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Center for Community Futures

JTPA Guide# 1

The ABCs of JTPA

By

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Edited by

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Number 1. The ABC's of JTPA

JTPA TECHNICAL GUIDE

Written by David Knuti

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THE ABC's OF THE JOB TRAINING PARTNERSHIP ACT (JTPA)

CHAPTER I -- Introduction

The ABC's of the Job Training Act of 1982 (JTPA) has been developed and published by the Center for Community Futures to help JTPA policy makers, planners, and program operators understand the JTPA law and its regulations. This guide is intended for Private Industry Council (PIC) members, Service Delivery Area (SDA) staff, elected officials, and boards of directors and staff of agencies that deliver JTPA services or seek to deliver services.

This guide, and Volume 2, "Programs and Activities Under JTPA", and Volume 3, "CBOs and JTPA", are intended to help you make JTPA services responsive to the needs of employers and the unemployed by offering policy, and legislative analysis, and program concepts, ideas and models.

Chapter II offers an overview of the law which puts the requirement of the law into understandable English.

Chapter III is an overview and detail of the state planning and administrative process. States are now the lead policy makers, planners and overseers of the employment and training programs. This chapter defines state responsibilities, the planning process, administrative guidelines and legislative constraints, and suggests topics to be covered in the state plan.

Chapter IV contains an analysis of the form, purpose and content of the local SDA plans. It describes the roles of the PIC, the SDA and service deliverers, especially Community Based Organizations (CBOs).

Chapter V offers a comprehensive chronological index to the Federal regulations which define JTPA. This index includes all significant regulations published between January 1, 1983 and March 15, 1986.

ABC's of JTPA

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CHAPTER II -- JTPA Overview

1. Major Themes of JTPA.

JTPA is the New Federalism in full flower. The states through the office of the governor are given responsibility and authority over the JTPA program throughout the entire state. The JTPA defines the broad purposes of the Act and defines the power of the governors, and DOL is committed to a much more passive role in supervising the operation of JTPA than has been the situation in any previous program.

JTPA is a serious effort to refocus the diffuse activities of the employment and training system squarely on job training for private industry. Participant goals are to make placements into employment, raise incomes and reduce welfare dependency. Performance standards for these objectives will be set by the Labor Department and each individual state. JTPA is touted by its Congressional sponsors as "Performance Driven rather than Process Driven."

JTPA will have a state and local planning process with the continued broad flexibility within the basic restrictions of the Act. What is changed is that the central actors in the process are the governors and private business with reduced roles for local elected officials and community organizations.

A State Job Training Coordinating Council (SJTCC) will be the state-level planning and coordination body.

JTPA Service Delivery Areas (SDAs) do the local Employment and Training Planning and provide the Service Delivery System.

JTPA brings Employment Services (ES) training for welfare recipients and vocational education into a more or less unified planning process under JTPA.

JTPA sharply curtails paid work experience and training allowances and increases emphasis on higher placement rates.

2. Steps to Participation

To participate in JTPA, community agencies must be involved in both the JTPA planning and delivery process.

a. Monitor the State Council: State Job Training Coordinating Councils set policy for states. Community Service Agencies should seek to influence appointments to this body. If your agency is not represented -- get to know its members from your community and the CBO representative. Read and comment on the plans. Inform the members of the needs of your constituency.

b. Be represented at the Private Industry Council -- If you are not able to get an appointment for yourself, don't give up. Attend all the meetings. Identify people who serve similar client groups or have the same interests as your organization. Read and comment on all plans. Develop a campaign to educate PIC members to the unmet needs of your constituents. Establish your agency as an advocate for your constituency. Don't just compete with other community organizations, join with them to assure service to your combined constituency.

c. Study the issues that effect poor people in JTPA. 40% of JTPA funds must be spent on Youth. Dislocated workers, displaced workers, AFDC recipients and older workers are entitled to service under JTPA. If you serve any of these groups, make sure that they get into the JTPA programs. If you serve another group with special needs, make sure that they are considered in the planning process and given the opportunity to receive service. Help business leaders see that their self interest is served by training people who cannot compete for available jobs.

d. Develop a strategy for community involvement in JTPA. Work with other community organizations, public and private agencies which serve poor people. Form a formal or informal group to advocate needs. Do your homework!

* Which groups are not being served?

* Are performance standards being met?

* Are agencies falling short of performance contracts?

* Are priorities being changed for next year?

* What other services can you provide?

* Have you developed a plan or a program for next year?

Together community organizations can assure that their constituents are being served and that services are effective.

CHAPTER III -- The JTPA Planning and Administrative System

This chapter is a technical description of the grant and planning system created by the Job Training Partnership Act. It is designed to give planning process participants an authoritative grasp of how the planning system will operate as a process without diverting too deeply into program content.

SECTION A: The Federal Funding Structure

The Federal Funding Categories

There are at least four different sources of JTPA funding and approximately fourteen separate categories of programs:

1. Local Service Delivery Area Programs -- two categories.
2. State JTPA Agency Programs -- three categories.
3. State Education Agency JTPA Programs -- two categories.
4. National JTPA Programs from the Labor Department -- seven categories.

The resulting diversity of funding sources and grant opportunities creates its own "grantsmanship" challenge for community agencies and a program coordination challenge for local planners. JTPA has established a state-guided, locally-planned employment and training program through the Service Delivery Area/Private Industry Council funded by Title II-A.

Format of Federal Grant to State Governors.

JTPA grants to the Governor are made under the following categories and sub-categories of assistance and must be accounted for separately under each section. The JTPA Section cited contains the provisions applicable to the program.

1. Title II-Adult and Youth Employment Training Programs provides the basic core employment assistance program in two main parts.

a. Local Service Delivery Area Program (78% of Title II-A Funds) allocated as subgrants from the state governor to "Grant Recipients" in each Service Delivery Area. Service deliverers are locally funded by the SDA Administrative Entity/Grant Recipient.

b. State-level Program and Responsibilities (22% of II-A Funds) allocated by the state to various entities in accord with the following funding subcategories:

1) General State Responsibilities (5% of II-A) to be divided among the following purposes based on the Governors Coordination and Special Services Plan:

a. State Job Training Coordinating Council Support (JTPA Sec. 122) for staff, consultants and expenses for the deliberations and investigations of the Council.

b. State JTPA Agency Administration (JTPA Sec. 121) to accomplish the many planning and administrative duties assigned to the Governor including planning, contracting, auditing and management information. These funds are spent directly by the State JTPA Agency.

c. Technical Assistance, Training, and Planning Information to SDA Administering Entities, PIC, and state-level Service Deliverers (JTPA Secs. 121(c) 1, 8 and 9.) These funds may be spent directly by the State JTPA Agency or used to contract for services.

d. Coordination and Special Services Grants (JTPA Sec. 121(c)) including whatever extra or special activities the Governor determines to be needed including the following specifically mentioned in the Act. Service Deliverers contract directly with the State JTPA Agency:

* Model projects.
* Special services for offenders or other groups needing special assistance.
* Rural area projects.
* Energy conservation projects.
* Industry-wide training in the state.
* Joint funded programs with other employment-related state programs.

2) Incentives to Service Delivery Areas (6% of II-A) to encourage the attainment of performance standards by SDAs to be used alternatively as follows (JTPA Sec. 202(b) 3):

a. SDA Incentive Grants for meeting official defined perfomance standards or serving "hard to serve individuals." The funds are granted to the local SDA Grant Recipient.

b. Technical Assistance to SDAs which fail to meet performance standards. These funds are spent directly by the State JTPA Agency (and may be an important supplement to the limited funds for state responsibilities available under Section 121 above).

3) State Education Coordination and Grants (8% of II-A) to establish one or more programs of operating grants and technical assistance activities through state departments of secondary, higher or vocational education depending on the structure of the state and the decision of the Governor (JTPA Sec. 123). Grants are from the designated state education department(s) to local service providers, particularly public education bodies. They will be in two forms:

a. Educational Services Grants (80% of this category; 6.4% II-A) to local public school districts, colleges, vocational schools or SDA Administrative Entities for vocational training or employment related education. 50% match is required.

b. Coordination and Facilitation Grants (20% of this category or 1.6% of II-A) for development of coordination and linkage of educational institutions with employment activities. Grants or direct administrative expenditure. No match required.

4) Older Worker Grants (3% of Title II-A Funds) for grants to entities providing training and placement into private employment for individuals 55 years and older (JTPA Section 124). Service Deliverers contract with the State JTPA Agency.

2. Title II-B Summer Youth Employment and Training Programs allocated as subgrants to SDA Grant Recipients in the same manner as Title II-A but permitting summer work experience activities for youth as well as all other activities permitted under Title II-A. Service Deliverers contract with the local SDA Administrative Entity.

3. Title III Dislocated Worker Employment and Training Assistance providing for state level grants to local entities assisting dislocated workers with essentially the same kind of services and restrictions as Title II-A. (50% cash or in-kind match is required.) Service Providers will contract directly with the State JTPA Agency.

National Grants from DOL: Important parts of JTPA are administered directly by the Labor Department, the most important being the Job Corps. The overwhelming majority of programming in localities comes through the block grant structure to the state governors, but the following direct Federal programs remain under Title IV, Federally Administered Programs:

1. Section 401, Native American Programs
2. Section 402, Migrant and Seasonal Farmworker Programs
3. Section 441, Veterans Employment Programs
4. Section 451, Multi-State Programs
5. Section 452, Research and Demonstration Grants
6. Section 453, Pilot Projects
7. Section 461, Labor Market Information Support.

The availability of these national grants is so limited as to be irrelevant to concerns of most community agencies. This manual will essentially ignore these national activities and focus on programming as it will be implemented at the state and local level.

Department of Labor Functions

General Role: The Department of Labor is the Federal agency administering JTPA, maintaining its role as the major Federal agency responsible for employment and training. Other Federal agencies have much narrower responsibilities. The Department of Education administers Federal vocational education assistance with about 20% of the dollar appropriation of JTPA. A larger number of persons are involved because of the state and local matching funds in vocational education. The Department of Health and Human Services also has significant links to employment programmng because of the need to get welfare recipients trained for employment through such programs as WIN as well as JTPA. However, while DOL still receives most of the funds, its role is changed almost beyond recognition from earlier periods when DOL definitely played the "heavies" in the system with its detailed regulations and tough enforcement.

Under JTPA, DOL will pass funds through to states in large block grants; legally they will have limited discretionary authority, primarily to enforce the basic provisions of the law. Moreover, the administration's policy is to issue only the barest of implementing regulations, largely cross-referencing the statutes. DOL will be reluctant to offer detailed interpretations, and is delegating most technical assistance functions to national organizations and the states. They are determined to give the states maximum discretion in implementing JTPA. All communications are channeled through state officials. DOL is not present on the local scene to enforce the right of community agencies and minorities to participate in planning and service delivery.

Operationally, they will develop national performance standards, develop national reporting systems, audit financial and management compliance, and hear complaints in the narrow areas that have standing at the Federal level.

Specific DOL Functions: The Labor Department has the following statutory responsibilities in the JTPA implementation systems:

1. Allocate Title II-A, II-B JTPA funds among the states according to the allocation formula in JTPA Section 202(a) and 75% of Title III according to the formula JTPA Section 301(b).

2. Grant 25% Title III, Dislocated Workers funds to states based on special criteria.

3. Grant Title IV, Federally Administered Programs, funds to states and other grantees, and directly administer the Job Corps.

4. Promulgate regulations for these programs based on the statute.

5. Establish National Performance Standards for these programs with the National Commission on Employment Policy.

6. Organize and fund a system of labor market information.

7. Receive, review and approve the Governor's Coordination and Special Services Plan which will describe the use of all JTPA funds in the state and program the funds specifically available to the Governor. This plan may be disapproved only if it fails to comply with specific provisions of the Act.

8. Make grants to the states for Titles II-A, II-B and III based on the receipt of acceptable plans.

9. Hear appeals by the state to any plan disapproval.

10. Hear appeals to SDA designations from affected jurisdictions.

11. Hear discrimination complaints.

12. Audit and monitor fiscal and program management and collect misspent or unspent funds or offset these against future allocations.

13. Report program accomplishments to Congress.

SECTION B: The State Planning and Operating Structure.

The Tasks at the State Level

Despite the fact that authority has come to business and local Private Industry Councils, the responsibilities of the state government and governor under JTPA are formidable. Community agencies and the concerned public should be aware that JTPA can only function with a high level of leadership from the governor and that a competent and adequately staffed State Agency is required. Community agencies should form part of the constituency for the necessary level of effort and should be alert if the process is lagging at the state-level.

Nearly all of the JTPA money coming into the state must be received into the state treasury in the form of Federal grants: About 60-70% of this passes out again with minimal processing as subgrants to local authorities in the local SDAs. A degree of responsibility must be maintained for all the money even that "passed through." Contracts need to be written, reports received, legal compliance policed, and expenditures audited. The governor and the state must give program leadership about what should be done with the money.

The tools for state policy leadership are potentially quite powerful although the authority to dictate individual decisions in local areas is specifically limited by the Act. These tools fall in five areas:

a. Policy Planning and Direction including goal setting, mandatory coordination criteria, performance criteria for rewards or corrective action, evaluations, planning and labor market information.

b. Support and Incentives including technical assistance to SDAs during planning or as part of mandatory corrective action plans, SDA Incentive Grants, staff training, planning and labor market information.

c. Oversight and Management Control including the PIC certification, the SDA plan review and approval process, the subgrant or contract document requirements, the management information systems for performance and expenditure, the cash disbursement process, the legal compliance monitoring, and the biennial audit.

d. State Level JTPA Grants including the 30-40% of the resources to be allocated and contracted directly by the state for education services, older workers, displaced workers, and special grants. The availability of these grants offers strong incentives or examples to influence JTPA and related agency programs.

e. Coordination of State Agencies including the regular legal powers of the governor and state budget office to influence Related State Agencies to integrate their planning and coordinate their operations and the special powers granted by JTPA. These agencies include Rehabilitation, Welfare and Economic Development. Most important is the State Employment Service which was singled out in JTPA for a legislative mandate to require integrated planning with the JTPA structure.

These are major powers that offer an opportunity for high creativity and achievement if they are used effectively over a sustained period of time and are supported by an adequate Federal funding level. Such a well-constructed, sustained program could begin to attack serious problems of industrial dislocation and geographic migrations. With certain improvements, JTPA could strongly attack the problems of the poorest and most dependent. However, the quality of the results are now directly dependent on the quality and energy of state leadership and the new agencies that are created.

Major Actors at the State Level.

The JTPA legislation places responsibility for program and policy directly on the governor with the advice and detailed planning of a State Job Training Coordinating Council (SJTCC). The SJTCC has powers to review or in many cases draft and initiate the very complicated plans, regulations and issuances required for this process. This discussion assumes that much of the actual work ascribed to these entities has been accomplished by a State JTPA Agency responsible to them both. The State Legislature is also involved in some way unspecified in the Act. Depending on the state constitution or executive organization statutes, this probably includes the establishment and staffing of the State JTPA Agency and other legal mechanisms required for the program to function. They are also likely to be involved in many other formal and informal ways, from sitting as members of the SJTCC to excercising their political influence in state government at all levels, especially through the budget processes.

Governor's Role and Responsibilities

General. The governor provides the leadership, the high policy decisions, the value choices and some of the pragmatic strategy to give unique direction to the program in the state. The Act makes it clear that the powers of the state in JTPA clearly reside in the governor and that these powers include organizing the entire process, leading its implementation, making many decisions directly (with many reserved to the local area "partnership"), and intervening where the local process stalemates, fails to meet national standards, or is fiscally or legally irresponsible.

Political Role. The governor will play a key role as political leader in the state and the nation. If the governor makes the success of JTPA a high priority, he or she can communicate a vital sense of urgency and enthusiasm to the legislature, and most important to local elected officials and business leaders who will be implementing JTPA at the local level. The governor can use JTPA to help solve the economic, educational and welfare problems of the state, and build it into his or her top priority program. The governors are equally as important as national leaders with influence in Congress both individually and collectively. If the governor finds JTPA useful, then there will be strong support for adequate appropriations and any needed legislative changes. If the governors do not take a personal interest, the program could fade and become another lethargic bureaucracy.

Administrative Role. The governor plays a key role administratively. The crucial act was the shaping of the State JTPA Agency including determining its location in state government (i.e., a separate department or a division of another line department), the level of its staffing, and the identity of its principal staff. Also important is the support of the State Job Training Coordinating Council (SJTCC) and the nature of the role ascribed to it. Another indicator is whether or not the governor communicates his or her support for JTPA as a central planning mechanism to the Employment Service, vocational education authorities and other related state agencies.

Governors' Staff Resources. Most governors have at least one trusted staff person within his or her personal office with the time and interest to monitor developments and digest the JTPA materials. This person may be backed up by an analyst(s) in the state budget office. It would be most helpful if this same person or section also had oversight responsibilities over the Employment Service and Welfare Agency to integrate these functions with JTPA. The possibility for linkages between these persons and those funded under the Community Services Block Grant should be fully explored at each level and at each step of the process.

Governors' Specific Responsibilities. Of the many functions nominally assigned to the governor by the Act, the following seem the core responsibilities most related to the exercise of actual executive authority.

1. Allocate personal time and liaison resources from the governor's office to deal with the JTPA matters.

2. Designate the structure of the State JTPA Administrative Agency determining whether it should be a free-standing department or logged in a related service agency (such as Employment Security) or in a planning department. A decision also is required whether the SJTCC staff should be separately constituted from the state JTPA administering agency.

3. Appoint the State JTPA Agency staff director and other gubernatorial appointments.

4. Appoint the State Job Training Coordinating Council after rceiving nominations from appropriate groups in the state.

5. Issue a Service Delivery Area Plan after considering the proposals of the SJTCC and finalize it after hearing and considering comments from interested parties. "Sell" the map to dissenting officials if appropriate.

6. Communicate with "Appropriate Chief Elected Officials". Maintain "the government business-partnership" within the SDA. Where multiple jurisdictions are involved convene the affected elected officials to establish who is to constitute the "government" side of the partnership.

7. Certify the Private Industry Council (PIC) appointed in the SDA after considering any "Petitions for Disapproval" and reviewing the local process for compliance with Federal law.

8. Request any legislation necessary to implement JTPA in the state.

9. Issue directives to the State Employment Service on compliance with the new planning procedures for the "labor exchange" function required by JTPA. Issue directives or otherwise communicate to the departments in charge of Vocational Education, Vocational Rehabilitation, Welfare, Economic Development and any other related activity on the form and level of cooperation expected with the JTPA agency and the JTPA planning process.

10. Consider gubernatorial concerns, priorities for inclusion in the Goals and Objectives, planning guidance documents and Coordination Criteria to be issued in the governor's name.

11. Provide policy guidance for the governor's coordination and special services plan and strategy, priorities and procedures for the selection of Service Providers for direct state funding.

12. Assign responsibilities for administering the State Educational Services Grants among the various educational departments at the state-level (secondary, vocational or higher).

13. Provide a recommended appropriation in his or her budget for the required match (or portion) for the Dislocated Worker and Educational Services Grants.

14. Approve SDA Job Training Plans after reviewing any recommendation for disapproval from the SJTCC and/or staff and "Petitions for Disapproval" from interested parties.

15. Determine or approve the policy for distributing the SDA Incentive Grants for satisfactory SDA performance and determining how much is reserved for the State JTPA Agency to provide technical assistance.

16. Determine or approve the granting of waivers of the cost ceilings; i.e., the rationale for changing the 15% limit on support services which includes stipends where requested by the local PIC.

17. Determine or approve measures to deal with SDAs which failed to meet performance criteria or have proven administratively or fiscally incapable. Such measures might include a corrective action in the next plan, changing the Administrative entity or combining the SDA with neighboring SDAs.

Even this fairly lengthy list does not cover all state responsibilities by any means. It attempts to identify those matters that the governor, or at the minimum his or her personal office, ought to be involved in or cognizant of. This again confirms the judgment that governors will find JTPA challenging and perhaps taxing. Community agencies should use this list to identify those questions which they might use for formal or informal contact with the governor's office, to make suggestions and to offer technical services in the development of systems or gathering and analysis of data.

The State JTPA Administrative and Planning Agency

General Role. An agency or agencies is required to administer JTPA. A JTPA staff of some size is required and it must be skilled, knowledgeable, well-organized and disciplined to produce the complicated analyses, plans and control documents needed and to accomplish the oversight responsibilities of the state.

The State JTPA Agency must analyze problems and propose solutions to the governor and the state council (SJTCC), draft the detailed plans, support the initial organization process at the state and local levels, provide on-going technical assistance, review SDA plans, solicit proposals and select deliverers for state projects, monitor contractors' legal compliance and audit contracts. The detailed responsibilities of this agency are discussed below where they are grouped into functional areas suggesting the kind of capabilities and disciplines required by the agency.

Specific Responsibilities and Capabilities of the State JTPA Agency

Given the responsibilities assigned to the executive authority of the state (the governor), the State JTPA Agency would have to have the following capabilities to perform its portion of the JTPA functions. A major variation is in single-SDA states where more operations capability and less local leadership is required of the state agency.

Department Director. This person and his or her office must possess the confidence of the governor and have ready access to the governor so as to be aware of his or her approach on specific policy questions. The director must be able to speak for the governor in the many administrative determinations that will be required in which the governor will not be available to personally participate. The director must have a first hand knowledge of the issues in employment and training policy and be able to represent personally the agency's or the governor's position to other state department heads, legislators, local officials and businessmen. Among the specific duties the director could be expected to perform are:

1. Brief the governor on JTPA issues and elicit his or her feelings in key areas.

2. Represent the governor at public meetings, legislative hearings, where the governor's approach to JTPA must be expressed. Take the leadership for public information for the program.

3. Assist the governor to evaluate the merit of formal appeals and other requests for assistance from constituents.

4. Negotiate with the directors of other related state agencies to establish coordinating relationships.

5. Negotiate with local officials to resolve disputes or Federal officials to obtain desired rulings.

Program Planning Capabilities. This function embodies the "policy leadership" and to some extent "capacity building" side of state JTPA responsibilities. This staff must have high level capabilities in labor market economics, demographic analysis, employment and training technology, interagency relations, legal-administrative regulations, and advisory committee support. This staff must either be shared between the governor and the SJTCC or duplicated for each. There may not be enough resources and staff to get done what needs to be done in both places. Therefore, a spearate staff may not be possible. Moreover, it will probably be necessary to go beyond in-house staff for the analysis and drafting required by mobilizing the resources of university or contract consultants. The list of planning tasks to be performed is formidable.

1. Support the functioning of the State Job Training Coordinating Council (SJTCC) with "secretariat" assistance such as preparation of agendas, minutes, resolutions, plan drafting, etc., and technical assistance including training, background analysis and program recommendations.

2. Prepare analysis to justify the SJTCC/Governor's Service Delivery Area Plan. This plan must be supported with a published rationale issued in the name of the SJTCC. Ideally SDAs should be consistent with the labor market areas, other "areas in which related services are provided," and "promote the effective delivery of job training programs." Analysis should be provided to the SJTCC and governor as to what various criteria and options mean in the state.

3. Develop a rationale for adjustment of National Performance Standards to individual SDA conditions. This rationale might compare the national standards as received from DOL to existing performance; it might consider such factors affecting performance levels as very high unemployment rates or more difficult clients as indicated by the portions of youth, minorities, welfare recipients, etc.

4. Develop procedures to review SDA Job Training Plans, review plans when received, and recommend action to the SJTCC and governor.

5. Develop procedures and annually review the plans of Related State Agencies (Welfare, Vocational Rehabilitation, Economic Development, Vocational Education and the Employment Service). Develop special procedures and plan formats for local SDA/PIC cooperative plans with the Employment Service. Provide draft comments and recommendations on these plans to the governor and SJTCC.

6. Conduct on-going studies of the needs for employment and training services in the state. Evaluate the overall performance of all employment and training programs and draft findings for the SJTCC on the quality and consistency as an overall approach to the state's needs of displaced workers, older workers, youth and offenders and design approached to be used in state-level programming.

7. Conduct on-going studies of the labor market in the state to identify occupational-industry employment trends and prepare lists of demands or high opportunity occupations to recommend for training. Based on the governor's economic development strategy, identify occupational or industry training which would advance its objectives by encouraging the relocation or expansion of industries.

8. Conduct an annual review of Vocational Education programs and needs in the state (with reference to the above studies of needs and labor market opportunities). Review the reports of the State Vocational Education Advisory Board and draft comments for the SJTCC to transmit to that body.

9. Develop plans to meet special needs or correct program deficiencies using state-level program resources.

10. Produce Program Standards and Proposal Solicitation Specifications for the State-funded JTPA Programs including Displaced Workers, Older Workers, Special Grants, etc.

11. Develop plans and standards for the allocations of SDA Incentive Grants.

Technical Assistance Field Services Capability. This function implements the staff support side of the state JTPA leadership. Ideally there should be a technical assistance specialist assigned on a regular basis to work with one or more SDA. SDAs in trouble might have their own specialist working regularly on site as part of the governor's corrective action plan. Ideally, the specialists would be mature individuals with technical competence in administration and employment programs who are also able to work with elected officials and PIC leaders. The type of JTPA functions to be performed by these individuals are:

1. Work with the Chief Elected Officials in the SDA to support their administration of the JTPA service delivery system.

2. Work with the Private Industry Council to maintain planning and program capacity.

3. Work with the PIC and Elected Officials to ensure that the Grant Recipient/Administrative Entity structure can administer the program. Recommend approaches to the governor to avoid the problems or approaches for reorganization if needed.

4. Work with SDA Administrative Entity Staff to train them on JTPA requirements as interpreted and implemented by the state. Serve as a conduit to ensure that planning information, training and technical assistance regularly flow to the operating staff and the PIC.

5. Work with the Employment Service and PIC to ensure that the required joint planning continues at the SDA level.

6. Work with the SDA Administrative Entity and employment related programs in the SDA to ensure that the governor's Coordination Criteria are followed. Work with Related State Agencies (Welfare, Vocational Rehabilitation, etc.) and state-funded JTPA Service Providers (Title III, Older Worker, etc.) to help the SDA Administrative Entity achieve minimum compliance with the Coordination Criteria.

7. Intervene on behalf of the governor to design Corrective Action Plans to correct audit deficiency, questionable activities or failure to attain performance standards.

State-level Program Capabilities. All states have program operations responsibilities for the state level programs -- Dislocated Workers, Older Workers, Education Grants and governor's Special Grants. In states with single state-wide SDAs, the State JTPA Agency or some other state agency will have to perform the function of operating "Administrative Entity" for the entire state. The staff abilities required are proposal review, contract development, grant management, employment program knowledge and interagency relations. The specific functions to be performed are as follows:

1. Execution and management of state-level interdepartmental contracts in such areas as administration of the Education Coordination and Service Grants (through one or more education department), labor market information activities, state-wide coordination and supplementary service grants.

2. Selection of Service Providers for State-level Programs including issuing requests for proposals, reviewing proposals, assisting the SJTCC and governor to reach funding decisions and making contracts with service providers.

3. Monitoring performance and rendering technical assistance to Service Providers under the state-level contracts.

Fiscal and Management Control Capability. This function is to execute the "oversight and management control side" state responsibilities. The jobs required are accountants, systems analysts, legal consultants and experienced administrators. The activities to be performed are as follows:

1. Development of fiscal and administrative requirements for such areas as accounting, reporting, property, procurement, eligible costs, and restrictions on costs. These must reflect state legal requirements and might adopt portions of selected Federal Management requirements as codifed in such documents as A-102, A-110, A-87, A-122 and 29 CFR 70.

2. Monitor legal compliance in such areas as program eligibility, client mix, cost restrictions.

3. Receive expenditure reports and disburse funds.

4. Provide training in management issues and technical assistance to solve deficiency reports and audit exceptions.

5. Conduct biennial audits of all SDA Grant Recipients and audits of state-level Service Providers. Collect unexpended or inappropriately expended funds, or otherwise clear audit findings.

Public Information and Publications. This function is required to execute the policy leadership, and oversight support responsibilities of the state. The State JTPA Agency must provide the following to meet mandatory reporting requirements and provide needed program information:

1. The Annual Report of the SJTCC to the governor. Assist SDAs to prepare their annual report.

2. Arrange public hearings, advertisements, required by the law.

3. Produce newsletters, special reports and press releases for the general public.

4. Maintain a regular mechanism to disseminate labor market information and program studies produced by the state planning program to SJTCC members, SDA planners and officials, and Related State Agency officials.

5. Prepare special brochures, advertisements, media materials, to publicize JTPA and its potential services in the business community.

SECTION C: The State Job Training Coordinating Council (SJTCC)

The SJTCC Roles and Responsibilities

General SJTCC role. As specified in its charter, JTPA Section 122, the creation of this council is an absolute requirement for the receipt of any JTPA funds by the state. In general terms, the SJTCC constitutes the JTPA "partnership" concept at the state policy level. Its heavy representation from business and the interested public state-wide gives the governor a "private partner" in the formation of state JTPA policy. Its Related State Agency and legislative participation give the State JTPA Agency some "public partners" in development of policy. The SJTCC has the statutory authority to participate -- in an advisory manner -- in nearly all the major decisions of the governor's administration of JTPA. In fact, while its powers are subordinate and advisory to the governor, the SJTCC is given the duty to initiate the drafting of such major plans to be issued by the governor as the division of the state into service areas (SDAs), The Coordination Criteria with related agencies, and the division of state-level funding allocations, the development of the governor's Coordination and Special Service Plan. On top of this, the SJTCC is to conduct an evaluation of the entire employment and training system in the state and identify training and service needs state-wide.

Specific SJTCC Responsibilities. Section 122 is a very broad and somewhat jumbled statement of the Council's specific role in JTPA planning. To accomplish the work implicit in its responsibilities, it must operate in tandem with the State JTPA Agency's planning staff. Given these reservations, its basic missions are as follows:

1. Participation in development of the plan for JTPA Service Delivery Areas. The Act says the SJTCC shall propose the division of the state into SDAs.

2. Participate in the development of the governor's Coordination and Special Service Plan. The Act specifies both "developing" the plan and "recommending" it. The implication is that the SJTCC is to be involved with all the aspects of that plan, including:

* The governor's statement of Goals and Objectives for Job Training and Placement Programs, and advising the SDA authorities and Employment Service.

* The governor's Coordination Criteria for SDA activities with state-level JTPA programs and the activities of Related State Agencies (Employment Service, Welfare, Vocational Rehabilitation, Vocational Education.)

* Funding plans for state-level JTPA programs including General State Responsibilities, Special Grants, SDA incentives, Older Workers, Education and Displaced Workers. Specifically included is the geographic distribution of these funds which are not governed by any formula in the Act. Implied is recommendation of criteria or methods to select Service Providers and possibly the selection and allocation of funds to Service Providers.

* Adjustment made in national performance standards to reflect local circumstances and the rationale for such.

3. Review, coordinate and approve the programs operating in the local Service Delivery Areas. Approval is restricted to "certifying" SDA plans for conformity to the governor's Coordination Criteria. Review is comprehensive including SDA operations, and the availability, responsiveness and adequacy of state services. Recommendations are to be made to the governor, state agencies, PICs, local elected officials, service providers, state legislatures and the general public "with respect to ways to improve the effectiveness of programs and services."

4. Review and comment on the plans of Related State Agencies including Vocational Rehabilitation, Vocational Education, Higher Education, Welfare, Economic Development on their relevance and effectiveness of the employment and training activities and the relationship to other systems.

5. Review, comment and approve State Employment Service Plans. Approval is confined to the certification of adequate joint planning between the PIC and local ES authorities in the SDA. Review and comment extends to the whole ES state plan. If ordered by the governor the SJTCC can replace any and all other state-level advisory boards to the Employment Security agency.

6. Identify the Employment and Training and Vocational Education needs of the state in coordination with appropriate state agencies.

7. Assess the adequacy and organization of Employment and Training Services of the state including JTPA, related state agencies and other Federal and local programs.

8. Comment annually on the reports of the Advisory Commission on Vocational Education.

9. Prepare an annual report to the governor and issue other reports or studies to assist service delivery areas.

10. Serve as the State Advisory Council to the Work Incentive Program (WIN) if the governor so specifies.

Organization and Functioning of the SJTCC

Composition and appointment of the SJTCC. The appointment of the Council was among the very first steps in JTPA organization. The Act specifies the following:

Organizational Provisions

1. Membership is appointed by the governor with no fixed term and presumably serves at the pleasure of the governor.

2. The chairperson is appointed by the governor from among the nongovernmental members of the Council.

3. The governor appoints members from the categories specified below, some of which must be nominees received from specified sources.

4. No size is specified. Most SJTCCs have approximately thirty members to meet representational requirements in the proper proportion.

5. The Council must hold publicly announced meetings which are "to the extent appropriate, open and accessible to the general public". No minimum number of meetings is specified.

6. The State Council "is authorized to obtain the services of" necessary personnel but is not guaranteed any funds. These must come from the General State Responsibilities allocation (the 5%) of the governor's plan.

7. The Council cannot participate in service delivery but exists "solely to plan, coordinate and monitor" the provision of such services.

8. Where the entire state is the SDA, the SJTCC may serve as the Private Industry Council.

Composition of Membership. Membership must be appointed from the following categories in the specified proportions from outside nominees where specified.

1. At least 33% from Business and Industry including agriculture. This can include business representatives from local PICs but such membership is not required. Outside nomination is not required.

2. At least 20% representatives of the State Legislature and Related State Agencies. (ES, VR, Veterans, etc.)

3. At least 20% representatives of local governments or consortia of governments nominated by their chief executive officers. These do not necessarily have to include SDA jurisdictions.

4. At least 20% representatives of the general public, the eligible population to be served, organized labor, community-based organizations and local education agencies. (Only local education agency representatives require outside nomination).

The governor has very wide latitude in the selection, organization and staffing of the Council. The question of what the SJTCC should really do, where it should be housed, and how much staff it should have are not specified in the Act and represent important policy considerations in the organization of JTPA.

Issues and Concerns about the SJTCC Role and Structure.

The Act lays out an extremely ambitious mandate for the SJTCC. Three broad roles seem implicit in the laundry list of tasks above: 1) nearly equal partners with the governor state-level policy development for JTPA; 2) executor of a broad agenda of program review, evaluation, and research, on the entire structure of employment and training programs in the state, and 3) proposer of plans for improved programming and coordination in ths entire structure.

Clearly, this is a mandate for state executive leadership under JTPA for the entire employment and training structure. It is doubtful that such sensitive, complex and demanding tasks can ever be totally entrusted to a large, part-time advisory body from across the state. The prerogative of initiation is inherently "executive" residing in the governor and his or her State JTPA Agency. And the tasks of plan drafting and proposal review are complex and professional. They cannot be effectively done by a committee. Even if the SJTCC had the staff to do it in larger states, only the state JTPA Agency will have the information, and hands-on familiarity with the situation to develop these drafts. Also, from past experience with the CETA/SETCs, it will have to be undertaken largely by the State JTPA Agency staff in a selective, incremental basis over several years. There is a necessity for choice among alternative missions and a recognition that pursuit of each objective needs to be planned and budgeted.

However, the broad roles that are envisioned are highly important and worthy of sustained effort. And also it is important to encourage the open debate and checks and balances that a "partnership" for policy development among the governor, State JTPA Agency and the SJTCC encourages.

A number of configurations of role, relationships and staffing can be envisioned. While these are not a list of all the possibilities, they give some ideal of the possibilities.

-- The SJTCC as the JTPA Planning Agency for the State. To do this requires that all or a major portion of the planning resources at the state-level be assigned to the SJTCC chairman or an SJTCC executive secretary to supervise the effort. The SJTCC would be a free-standing regulatory type body like a public utilities commission. However, the State JTPA Agency would still require some planning and policy development capability to execute its responsibilities for support management and oversight and as staff advisor to the governor. In this case it might become like the Advisory Council on Vocational Education, able to freely criticize and adopt positions, but outside the mainstream.

-- The SJTCC as the State JTPA Administering Agency. A step further, which has been tried in some states, is to vest all the planning and implementing powers of JTPA in the SJTCC. In this case the SJTCC would become like a "board of regents" for employment and training. This solution avoids the problem of duplication and conflict between a strong State JTPA Agency and a strong SJTCC, but it might also turn the SJTCC into the State JTPA Agency which it was not intended to be.

-- The SJTCC as Advisory Board to the State JTPA Agency. This is the solution chosen in most states since it avoids fragmentation, duplication and unpredictability. It combines the broad state-level review powers of the SJTCC with the State JTPA Agency's capacity to execute the review. Within this structure the SJTCC might perform the following functions:

- Review board for all state JTPA plans and administrative issuances as drafted by the State JTPA Agency.

- Check and balance in the Service Provider selection process for the state-level JTPA programs. In this role, the Council would participate in formulating the funding plan for these programs including the allocation of funds among service providers, and review of criteria be put in requests for proposals.

- State Private Industry Council serving as a liason and public relations ambassador to the private sector for JTPA training.

- Review board for the staff findings on SDA plans and advisory board to the governor on SDA appeals and problems.

- Independent research body on all JTPA policy questions of interest to the council.

- Review board on the progress of the research and planning information programs of the State JTPA Agency.

This relatively modest approach will still require that the SJTCC have an identified secretariat of a few staff and the right to obtain outside assistance for independent research. However, it does not require the SJTCC to try to lead the entire state planning and policy leadership program.

-- SJTCC Strategy for Community Agencies. It is critical that Community Based Organizations (CBOs) and other community service providers understand the structure and organization of the SJTCC, familiarize themselves with state plans and have access to SJTCC decision making to advocate the needs of the poor and the unemployed. The Community Based Organization representative and representatives of client organizations should be supported with information which enables them to educate other members and advocate programs of demonstrated effectiveness.

Community based agencies must be familiar with employment and training related plans and be especially concerned with the performance standards for their state. Each year CBOs should review the performance of the state to monitor services to their constituency and outcomes. This research is needed to make the democratic process responsive to the needs of people. As this entails considerable research, CBOs might form coalitions or councils to share the work and increase their ability to influence plans and programs.

SECTION D: Service Delivery Areas

In accord with JTPA Section 101(a):

1. An SDA may be the entire state (as a state-wide SDA) or general purpose units of government (cities, counties or New England towns) or contiguous combinations of local governments.

2. Governor's Discretionary Areas. An SDA must be designated as such in the governor's final plan for SDA designation either in his initial published draft or in response to a request to be designated. Any combination of governments which serve a substantial portion of a labor market area can be designated regardless of population size. (Section 101(a) (4) (b)).

3. Guaranteed SDA Areas. Areas guaranteed ultimate designation if they insist on designation by the Governor are:

a. Governments over 200,000 in population.

b. Consortia of contiguous units of government over 200,000 population which comprise a substantial protion of a labor market area. (Section 101 (a) (4)).

c. Former CETA Prime sponsors who were Rural Concentrated Employment Programs.

4. Qualitative Criteria for SDA Designation. All SDAs should meet the following criteria. (Section 101).

a. Promotes the effective delivery of job training services.

b. Is consistent with labor market areas or standard metropolitan statistical areas (SMSA'S), but not necessarily encompassing an entire such area.

c. Is consistent with areas in which related services are provided (such as employment service districts, substate regional planning areas, etc.).

Review and Appeals. The governor has strong, if not total, authority in the SDA designation process. DOL will not even review the final plan issued by the governor unless it is contested in some authorized or effective manner.

Challenges. Some plans might be considered to seriously violate the spirit of the Act, or be grossly inconsistent across the state either from faulty reasoning or favoritism. The mechanisms to oppose and challenge the plan are quite limited.

1. Filing a formal appeal to DOL by governments and consortia of governments which believe they are guaranteed SDA status by virtue of their 200,000 plus population.

2. Filing formal appeals or "comments" to the plan to the governor by all other interested parties who cannot claim guaranteed SDA status. This is the only avenue of official "due process" provided by the Act and it must be utilized before a court appeal would be valid. There is no time limit on this comment period, but there is also no time period set aside for receiving comments before implementation.

3. Petitioning the SJTCC for formal statements of opposition, reservations or questions. Such opinions might be advanced as majority recommendations or minority dissents on either the SJTCC plan or the Governor's plan if they are different. The STCC cannot order the governor to do anything, but its opinion would be heard. This may still be possible to educate SJTCC opinion even though the SJTCC may have acted hastily and prefunctorily to sign off on a plan.

4. Filing a Discrimination Complaint to the Labor Department if the SDA plan was in some way discriminatory (for example, cutting off minority access to surburban jobs).

5. Filing petitions to the Federal courts for a writ of mandamus (do your job) against the Labor Department ordering them to enforce JTPA where a state has violated the procedural or substantive requirements of the Act and where DOL may not wish to address the question. Complaints to the plan which are not "guaranteed SDAs" have no formal right of appeal to DOL. Needless to say this is a tedious, time consuming and costly option that will rarely succeed. Even if you win in court, hard feelings generated will make it difficult to implement the decision.

6. Utilization of the unique powers of the state-wide Private Industry Council in single-SDA states to urge the state to properly consider alternative forms of organization for the state. This may be the only way to challenge the formation of a state-wide SDA. While the Act clearly sanctions the single-SDA option, it requires such states to organize a state-wide PIC and share power with it.

Basic Issues in SDA Development

Why is the development of the SDA plan such a challenging and potentially complicated process? The process presents a number of issues or trade-offs requiring choices by the governor, SJTCC and the state agencies, between existing interests and possible future benefits. The impact of any particular choice on program productivity and agency interest may vary from area to area. Some of the central issues are presented below so that one can begin to develop a philosophy and perspective before entering the areas of planning and nonservice strategies.

Single Statewide SDA vs. Local SDAs Under State Leadership. This is the most important choice in JTPA facing the 19 or so states in which such organization is feasible. (These states at the most represent about 28 million people or about an eighth of the population; thirteen of them have less than a million people.) The choice is available to those states with no city, county or consortium over 200,000 in population which wishes (or demands) designation. The ninteen or so states affected have no city of 200,000, but may well have counties of that size or possible consortia. However, these counties or consortia must step forward and demand designation after the governor proposes a state-wide SDA.

In forming a state-wide SDA the governor, with or without the concurrence of the SJTCC, publishes a plan in which the entire state is the Service Delivery Area. In such a situation the governor is the Chief Elected Official and all authority for the local SDA portions of JTPA (the 78% of Title II-A and all of Title II-B, summer) resides at the state-level. The organizational implications of such a system are discussed in Section IV.B to follow on planning within the SDA. The implications for planning and state-wide program are as follows:

1. There will be a state-wide Private Industry Council (that may be joined with the SJTCC) but no local Private Industry Councils and no local public-private partnership with local Elected Officials. On the other hand, at the discretion of the state, unofficial local advisory boards (which could be called "Private Industry Councils") could be structured to provide local participation in planning.

2. Any previous CETA Prime Sponsorship Units in which local planning and operation had been established will be dissolved and the program experience and interagency relations lost.

3. There will be no official substate funding allocations.

4. Without local SDAs there will be no official framework to relate local JTPA delivery to labor markets and such related service areas as welfare, employment service, etc. However, again the state could proceed informally to set up administrative districts throughout the state without autonomous planning authority.

5. Without official local SDAs the Employment Service will have no local framework for the required local planning with the JTPA. Therefore, the Employment Service would be freed from the requirement for decentralization of their planning process.

6. Contracts could be easily let state-wide to the principal state agencies (like the Employment Service) to render operational services at the local level without complicated coordination or negotiation with multiple SDAs. Alternative Service Providers would be less likely to receive contracts.

It is notable from this list above that many of the same objectives as are pursued by the designation of local SDA areas could also be pursued through the establishment of a single state-wide SDA and the adoption of a philosophy and practice of locally-based service delivery and informal groupings. The real difference is in the acceptance of a real decentralization of power and an official commitment to decentralization vs. a temporary policy of decentralized operation by the governor.

-- Initial Organization Cost. With a single SDA, the initial organization policy development and capacity building may be easier for one than for multiple local planning areas.

-- Long Range Administrative Cost. The single SDA may also be cheaper in administrative costs particularly in the smallest most sparsely populated states. Indeed, at certain levels of appropriation it may be the only way to gather enough administrative funds to properly administer the program. Congress believed that JTPA would reduce administrative units. Implementation led to a 20% increase in the number of SDAs. Each year there have been a few adjustments in SDAs.

-- Program Operations/Effectiveness Impact. It is difficult to guess whether state-wide SDAs would be more or less effective in meeting performance standards. CETA data on comparable circumstances is not readily available. Under CETA some state-wide and large "Balance of State" prime sponsorships are said to have worked well, but some did not. And what will happen if a state-wide state-run program is not functioning well? Will it have the resolve to correct itself without the dynamic interplay of the state-local SDA

system in which the governor and SJTCC and SDAs serve as a "check and balance" among each other?

-- Business Involvement. The advantages of a Single-SDA State in gaining business involvement may rest in the possibilities of creative synergism with the governor's economic development strategy and the state economic development agency. Moreover, some state-wide or large Balance of State programs may have achieved good working relationships with some businesses that should be continued. On the other hand, business people may find a local planning framework a much more understandable and congenial framework for involvement. Business people, unless they are already deeply involved in state policies (as some are), will find it hard to travel to state capitols (sometimes a considerable distance) and grasp state-wide issues. Businessmen are most interested in their own industry in their own locality. The more distant and abstract the planning, the less likely they are to get intensely involved.

-- Community Agency Involvement. Some community agencies will find it quite congenial to continue current relationships to the state. In particular, some community agencies have become quite important elements in some state-wide or Balance of State operations under CETA. Some agencies, such as those which are affiliated with organized labor, find they do better in state-level politics than local. On the other hand, community agencies which for some reason have not yet found a niche at the state level may now find it especially hard to find the handles for participation in this arena. Certainly, the more local level planning there is, the more "seats at the table" there will be for community agencies.

-- Interagency Coordination. State level agencies may find it easier to communicate at the top with each other, but their operational units in the field may remain as uncoordinated as ever if there is no local level planning. Without reference to official SDA areas, it will be hard to draft and evaluate "Coordination Criteria". It will also be difficult to interpret the requirements for local level cooperative Employment Service Planning without local PICs to plan with.

-- Equitable Service Distribution. Without the rigidities of fixed Service Delivery Area units the state may be more able to focus resources on areas of high need. This may be especially important in sparsely populated states where spreading resources on a per capita basis would spread them too thinly to assure impact. On the other hand, the temptation may also be to respond to areas of high community pressure. Having fixed SDA units and using the official JTPA formula for distribution will ensure a high degree of equity state-wide.

In conclusion, there are many "pro and cons" to state-wide vs. local level organization of JTPA. In many ways they parallel and repeat the overriding debate between Federal-state and Federal-local organization of which JTPA is another of a long series of compromises. Actors in the process will have to reach their own conclusions. But in general, one might say the argument for state-wide organizations grow weaker the larger the state and the better the current experience of local-level planning. Finally, and perhaps most important, the state-wide SDA option short circuits the JTPA model of two-tier, state-local planning, with the state setting and/or leading policy and overseeing the operations of a vital, local business-government partnership.

Other SDA Designation Issues

Creation of a Large Balance of State SDA vs. Utilization of Substate Areas in the Non-metropolitan Areas. Should a state subdivide the non-metropolitan areas into substate SDA units involving, for example, 5 - 10 counties in rural areas or smaller metropolitan labor market areas? Many of the arguments on the single-SDA option apply here with respect to centralized simplicity and possible efficiencies vs. local level participation and program vitality. The big difference, however, is that the two-tiered, state-local JTPA planning model will have already been instituted in the state. In many states, rural Community Action Agencies and substate regional planning commissions have proven the vitality of small area regional planning and operation. Many smaller metropolitan areas have functioned well as CETA Prime Sponsors. If funds are sufficient, a plan for substate JTPA regions will have participatory advantages. As another approach, a district structure might be informally created within larger SDA units or progressively implemented as JTPA appropriations increase.

Unifying Labor Markets vs. Preserving Current CETA Prime Sponsorship Areas. Some governors chose to preserve Prime Sponsor areas as an easy way out from dealing with a "qualitative criteria" for SDA designation. In many labor market areas, CETA Prime Sponsorships were established with as few as 100,000 population. Some of these areas were fragments of labor markets in no way harmonizing with even a logical subdivision of a labor market area or any related agency service area. There are no doubt many former Prime Sponsor staffs and elected officials from these areas who will continue to urge the governor to designate these areas as SDAs under JTPA as a courtesy.

Reconciling Service Delivery Areas with the Boundaries of Related Services. Section 101a (1) requires SDA boundaries to be "consistent with areas in which related services are provided under other state or Federal programs." Elsewhere in the Act related services are defined as Employment Service, Vocational Education, Vocational Rehabilitation, Welfare and Economic Development (which might be construed to mean regional planning). But "consistency" of boundaries was not defined in either the Act or the JTPA regulations.

To reconcile these boundaries would require a massive effort in itself. However, in some states, great effort has already been made to harmonize human service areas and regional planning areas. In such cases, JTPA ought to conform to a high degree. In most other areas it will be very difficult to achieve much reconciliation in the midst of intense conflicts among various concepts and concerns for administrative convenience.

The Reconciliation of Employment Service Boundaries with JTPA/SDA Boundaries ought to have first priority in any boundary reconciliation effort. In writing JTPA, Congress changed the Wagner-Peyser Act (JTPA Section 501) to bring the Employment Service into a locally-based coordinated planning process with JTPA services. There is ample authority for changing Employment Service Districts to conform to JTPA and for the adjustment of the JTPA plan to achieve harmonized boundaries with the Employment Service. Without this effort the joint JTPA-ES planning may be much less meaningful or may not be initiated.

Community Action Agencies and other local agencies funded from the Community Services Block Grant also have a legitimate claim to the harmonization of SDAs with their boundaries. This is particularly true in rural areas where several counties are usually joined together, more or less voluntarily, to form a viable service area. Often these areas are quite sound from the standpoint of regional geography and local preference. JTPA is potentially an important source of support for CAA activities. In addition, other related agencies may find themselves orienting their boundaries to the JTPA/SDA areas. Thefore, CAAs must be concerned with the process of SDA formation or changes.

Once the JTPA boundaries are set, CAAs may want to consider adjusting to some activities to JTPA/SDA boundaries, or even consider adjusting their boundaries. The harmonization of JTPA and the other economic development and human service boundaries will require a major effort.

Community agencies can raise this consideration in the SDA review process. SDA boundaries should be harmonized well with any overall effort to achieve sound, locally-based planning for human services.

SDA Designation as a Continuing Process. JTPA has provided for a continuing, flexible organization process that more openly holds out reorganization as a solution to problems and as an on-going method to a never ending "policy implementation loop":

IDENTIFY INTERESTS/OBJECTIVES

DISCUSSION/ DECISION PROCESS

IDENFITY PROBLEMS OR OPPORTUNITIES

AGREEMENT ON PLAN STRUCTURE

IMPLEMENTATION/ TESTING PERFORMANCE

Prior to the next SDA designation, experience will change many perspectives. During that time, a few SDAs will fail to meet their performance standards or face internal problems within the PIC, between the public-private partnership, or among the Elected Officials. During this period, the "qualitatve criteria" may be reconsidered. For example, state-wide SDA states may discover a need for local planning or vice-versa. Ways may appear to consolidate or reorganize SDAs to enhance service delivery or harmonize with related services. This is a "living process" and it is going to take years to run through its organizational phase.

Stay involved. The structure of service delivery areas is always under sustained testing.

The first step is to analyze the situation and consider the level of interest involved. An agency must balance their client's interest, the agency's interest and the broader public interest. The preceding discussion of service delivery areas has looked at all the interests included in employment and training programs. This discussion is designed to help you understand all the issues so that you can identify the best interests of those they serve.

Finally, an agency must identify access points to establish some impact. The description of the various actors involved in their powers and interests should help in selecting how to proceed. Your past experience with coalition building and group action will serve you well in this fluid situation.

SECTION E: State Planning Documents

Nature of these Documents. This section will help community agencies and others outside the state administrative struture to understand official formats in which JTPA decisions will be presented. These must be public documents, readily available for inspection and, where practical, widely disseminated. The contents of each plan should be presented in such a manner that the reader can understand the substance, format, and timing of JTPA decisions.

Most of the documents described here are specified in the JTPA Act in terms of their names and general purpose (i.e., "the Governor's Coordination and Special Services plan shall describe the utilization of all resources provided to the State") but the Act does not provide an inventory of the contents. Usually in Federal procedure, the detailed contents are provided in the implementing regulations published by the Federal agency. Since the contents were not specified by DOL, this section suggests what these documents ought to contain based on past documents, the requirements of the legislation, and the basic generic issues of all employment and training programs. This effort is justified because it is necessary to understand the full purpose and potential of these documents to know where state policy positions should logically be found and to evaluate the quality and completeness of the state planning process.

The State Plan Documents. There are three main groups of materials all of which must be prepared by the governor and the State JTPA Agency but which differ in their audience and the degree of participation by the SJTCC.

I. State Policy Statements and Organizational Plans.

These documents control or guide the planning and administration of the local Service Delivery Areas and the related State Agencies in their coordination with JTPA Activities.

1. Service Delivery Area Plan (SJTCC participation is required).

2. Governor's Instructions to the Chief Elected Officials of the SDA.

3. Governor's Annual Statement of Goals and Objectives (no SJTCC participation required).

4. Governor's Coordination Criteria for JTPA programs in Service Delivery Areas and (optionally) for JTPA state-level programs, and/or related state agencies (SJTCC participation required).

5. State Performance Standards as adapted from national performance standards and as applied to Service Delivery Areas and state-level JTPA programs (SJTCC participation required).

6. JTPA Fund Allocation Plan to Service Delivery Areas of Title II-A, II-B and (optionally) state-level program funds under Titles II-A and III (SJTCC participation required).

7. Planning Instructions to SDAs on the format for SDA-level job training plans (no SJTCC participation required).

8. SDA Administrative Requirements and Standards for general management, financial management and reporting, eligible costs and management information systems (no SJTCC participation required; single-SDA state PIC/SJTCC participation probably required).

9. Request for proposals to potential state-level service providers (SJTCC participation required).

II. State JTPA Agency Management Guides and Standards.

The manuals govern state-level management. These are state documents somewhat outside the federally required planning system but necessary to execute state responsibility.

1. Service Provider Manual on Administrative Standards and Requirements for service delivery agreements with state agencies providing JTPA services and outside service providers under state-level JTPA programs (the 22% of Title II-A, and Title III).

2. State JTPA Agency Internal Administrative Manual. Such a document probably should be prepared to link state management regulations and statutes with JTPA requirements. If it is not prepared it could be considered to informally exist and consist of those two sources of requirements.

3. Governor's Executive Orders or State Legislative Acts to Implement JTPA. None of these are federally required but they may be required by the state law. Establishing a legal basis for JTPA arrangements in state law may give the program stability and recognition.

III. The Governor's Coordination and Special Services Plan to be submitted to DOL. This omnibus plan is the only required submission from the governor to the Federal government. It describes the use of all the funds (Title II-A local and state, II-B, III) to be made available in the state including the funds provided to the local SDAs. It should also include most of the policy guidance documents listed above as "State Policy Statement and Organizational Plans" since these are described by the Act as a part of the governor's plan (Section 121).

IV. The Annual Report of the State Job Training Coordinating Council to the Governor and other informational materials issued by the Council. This report will no doubt be prepared by the State JTPA Agency (or an independent SJTCC Secretariat), but its final content is at the sole discretion of the SJTCC.

Significance. These documents are far more than meaningless compliance exercises. Because of the discretion and flexibility delegated by the Federal authorities, these JTPA planning documents become the "rules of the game" -- the operational policies and procedures -- for JTPA in the state. They will carry the same authority and accomplish the same purposes as the Federal regulations, DOL regional issuances and OMB management circulars used to.

These documents are the state's only official submission to the Labor Department attesting to the state's compliance with JTPA and demonstrating how that compliance is accomplished. To the State Job Training Coordinating Council, these documents represent understanding reached between the SJTCC, the governor, and the State JTPA Agency on the major issues of JTPA policy and administration. Or at least the council will know where it has been overruled. To those wishing to comment upon or complain about policy decisions they can use these official policy statements and plan as the basis for an orderly debate.

Responsibility. With the exception of the SJTCC's Annual Report, the governor is responsible for issuing these documents and is the final arbiter of their contents (Section 121) regardless of whatever is submitted to him by the SJTCC and the State JTPA Agency. These documents are, therefore, the governor's responsibility to provide clear and coherent leadership to employment and training in the state. They can be, to use the phrase of President Theodore Roosevelt, the governor's "bully pulpit" for expounding state policy on training, education, welfare and economic development. On the other hand, since they have an important technical and legal purpose in the JTPA administrative system, these should be a combination of the governor's brief policy statements as a preface followed by technically correct documents reflecting and implementing the established state policy.

The State Job Training Coordinating Council has special responsibility in the preparation of these documents. For the most part, the SJTCC is given the power to initiate (under the words "recommend", "develop", "make", or "issue") the drafts of these policy documents. As is discussed above in Section III.C of this manual, this drafting role probably overstates the capacity of the SJTCC, but it certainly means that the SJTCC must formally receive and review the official documents. It also means the SJTCC can insist on a high level of completeness and quality and that its policy agenda is fully addressed even though its specific positions may not have been adopted. In a sense, the SJTCC is the governor's policy development "partner" at the state level and bears a special responsibility to the private sector and general public that all concerns are aired in the deliberations on the plan draft.

Finally, in a Single-SDA State, the SJTCC may also serve as the state-wide Private Industry Council. In this case, the SJTCC/PIC would have the critical veto power over aspects of the governor's plan related to the Job Training Plan for the state-wide SDA since the PIC represents the private side of the public-private partnership.

Ultimately, regardless of the official actors, the quality of the state planning documents depends heavily on the quality of the planning staff of the State JTPA Agency. If this staff gives these documents a low priority, then the product may not be sufficient to truly guide the program in the state. There may be other ways to pursue program quality or exert leadership, but these documents are the way to facilitate and open policy making process and ensure that the policy adopted is implemented. Poor planning documents should not be accepted by the SJTCC, because in the absence of DOL review, there is no other authority to guard the quality of the planning process.

State Policy, Program Guidance, and Requirements Documents

The materials to be prepared by the governor and his or her State JTPA Agency to guide the implementation of JTPA are listed below. For purposes of an orderly presentation, this discussion organizes these materials as if they will be issued as one document, like a "Governor's JTPA Planning and Implementation Guide" which is issued annually or biennially. This is not at all necessary but might be helpful if it happens. Most of these documents are referred to by name at various points in the Act, and some seem needed as a mechanism to execute state responsibility.

1. Service Delivery Area Plan. This plan sets forth the boundaries of the SDA as proposed by the governor after hearing the proposal of the SJTCC. It should be published to provide time for comments and appeals prior to inclusion in the governor's plan. The first SDA plan was published in January, 1983. Subsequent revisions will be made every two years. Legally only the bare boundaries are required of the governor, but ideally the plan might include:

a. Description of the SDA areas including map, population, labor force, and labor market profiles.

b. Rationale for the plan, including reference to the JTPA qualitative criteria in Section 101 (a) for portion of labor market covered, harmony with labor market, harmony with other Service Delivery Areas and facilitation of service delivery. This rationale is only legally required for the SJTCC plan.

c. Consideration of differences from the SJTCC plan proposal.

2. Governor's Instructions to the Chief Elected Officials of the SDA.

Once the governor considers the SDA Plan to be final, notification must be given to all the Chief Elected Officials of all the significant governments in the SDA that they are now part of an SDA and have responsibilities to convene the "public" side of public-private partnership.

a. The Process of Designating the Appropriate Chief Elected Officials for Appointing the PIC and the Intergovernment Agreement.

(1) The Concept of the appropriate Chief Elected Official as a "Lead Official" or committee of officials.

(2) The Concept and definition of an experienced government in Job Training and the CEO of such a government as "Lead CEO" or alternative where appropriate.

(3) Suggested Intergovernment Agreement Format to designate an "Appropriate CEO" to appoint the PIC to agree on a plan for planning designation of Grant Recipient/ Administrative Entity and approval of Job Training Plan.

(4) Role of the governor in resolving disagreements or appointing PIC officials at request of local officials or in event of a stalemate.

b. The Composition and Appointment of the PIC.

(1) Categories and sources of nomination.
(2) Determining size, mix and other questions.

c. Reporting PIC formation to the governor for certification.

d. Instructions on convening PIC and starting Plan for Planning.

e. Technical assistance available from the governor.

3. Governor's Goals and Objectives. JTPA Section 121 (1) requires this statement from the governor to provide guidance to local SDAs in preparation of their Job Training Plans and the State Employment Service in the preparation of their annual plans under the Wagner-Peyser Act. This narrow purpose could be easily expanded to cover goals for the state-level JTPA Programs (the 22% of Title II-A and Title III), and it also could be expanded to the governor's general policy statement to the related state agencies (public assistance, rehabilitation, etc.) and to the SJTCC itself. It could also be expanded to a kind of "state of the state" for education, training, welfare and economic development if the governor so wished. The act does not require SJTCC participation in the development of this statement and is probably best considered as reflecting the governor's and the state executive department's statement of its policy leadership position for the year. While the act provides no outline of its contents, the following should be included:

a. General priorities for JTPA program activity in the state including types of target groups, types of program, urban vs. rural emphasis, etc., that the governor wishes to see pursued. The priorities are only advisory for the SDAs but are especially relevant for the state-level JTPA pgorams directly funded by the state such as education services, older workers, displaced workers.

b. Administration thrusts for the year including priorities for interagency coordinating measures at the state and SDA level, technical assistance or oversight thrusts related to improving performance, and special interagency programs funded under JTPA.

c. Training priorities by occupations, industries or regions of the state. Such a statement of priorities appropriately supported with labor market analysis could form the basis of training program justification required by Section 141(d)(1).

d. An economic forecast which might form the basis of increases or decreases in performance criteria or a redirection of training priorities.

e. Economic development strategy and coordination implications for job training, especially displaced worker training.

f. Employment Service goals and objectives, in particular, changes or priorities for activities by local offices.

g. An overall appraisal of program performance, achievements and problems either in reply to or in amplification of the SJTCC's Annual Report.

4. Governor's Coordination Criteria. This is a major mechanism of state control over local SDA operations. Section 121(b)(1) requires the governor to "establish criteria for coordinating activities under the Act" (Titles II and III) with seven other state operated systems and "such other agencies as the governor determines to have a direct interest in employment and training and human resource utilization within the state." The section prohibits the use of the criteria to "affect local discretion concering the selection of eligible participants or service providers" but also permits the governor (JTPA Section 105(a)(2)(E) to disapprove local SDA Job Training plan if it "does not comply with the criteria..." It is apparently assumed that the governor will automatically also require these criteria for state-funded projects under Titles II-A and III. The governor might also choose to make these criteria mandatory for the related state agencies under his control, but JTPA can only require it for JTPA programs.

The implication is strong in Section 121 that the SJTCC must be able to participate in developing the substance of the criteria. The criteria need to be published well before the start of the planning cycle in the SDAs. Neither the JTPA Act or the Regulations provide any detailed guidance on the substance of "coordination criteria" other than to list the agencies and type of service to be involved. The term is really quite novel in employment and training planning and no body of widely accepted doctrine or practice is available to draw on. The best that can be done here is list the agencies covered and to speculate what good criteria might look like.

a. Agencies specified for coverage:

1. State education agencies (higher education, elementary and secondary, vocational education).

2. Local educational agencies.

3. Higher educational agencies.

4. Public assistance agencies (including the WIN program authorities.

5. Employment Service.

6. Vocational Rehabilitation.

7. Economic Development Agencies.

b. Other agencies the governor could include:

1. State funded training programs.

2. Weatherization activities.

3. Veterans program.

4. National Alliance of Business and Chamber programs.

5. Farm labor.

6. Adult basic education program.

c. Topics for coverage:

1. Intake facilities and services.

2. Coordinated participant referral systems (including voluntary preference programs).

3. Encouragement of centralized systems for assessment of participant needs and centralized or cooperative participant case management.

4. Consideration for use of existing facilities (as required in JTPA Section 141(h)).

5. Coordination of job development, program marketing and other employer contract activities.

6. Employment Service coordination including such measures as: free ES services not to be duplicated; coordination and participation in the area-wide Job Bank; voluntary relocation; voluntary subcontracting procedures; and coordination with ES special group placement efforts for veterans, older workers, etc.

7. Coordination mechanisms among SDAs within a single labor market area to ensure that participants have access to "training and employment opportunities throughout the entire labor market" and coordinated or joint job development, placement and employer outreach as required by JTPA Section 104(a)(8). Joint efforts are particularly important with the Unemployment Insurance Service in connection with the work test and the WIN program serving welfare recipients.

8. Coordination with State-funded JTPA programs such as dislocated workers, older workers, ex-offenders, handicappd, etc.

9. Coordination with and participation in the state-level JTPA education programs.

10. Mechanisms to obtain supportive services and income maintenance from the State Public Assistance agency.

5. State Performance Standards and Incentive Plan. This is the second mechanism of state control over local SDA operations. JTPA Section 106(e) requires DOL to develop national performance standards and in section permits the governor to "prescribe variations in the standards... based upon specific economic geographic and demographic factors in the state," and within SDAs, by "the characteristics of the population to be served and the type of services provided." Section 202(b)(3) provides the governor with up to 6% of the state's Title II allocation to be used to distribute "among SDAs... exceeding their performance standards." The variations in the performance standards and the reward incentives are to be part of the biennial governor's plan "developed" and "recommended" by the SJTCC. There is no official format for the state plan, but many will include most of the following topics.

a. National Performance Standard by Target Group.

1. Adults: Entered Employment Rate; Cost/Entered Employment.

2. Youth: Entered Employment Rate; Other Positive Termination; Cost/Entered Employment; Cost/Other Positive Termination.

3. Welfare Recipients: Entered Employment Rate; Cost/Entered Employment.

4. Other groups such as Urban Minorities, Native Americans, etc.

5. Average Entry Wage.

6. Increase in Earnings: hourly, monthly, quarterly or whatever.

7. Welfare Reductions: Cost/Client with Reduced Payment.

b. State-wide Adjustment to Performance Standards (to the degree permitted by Federal regulations).

c. Adjusted Performance Standard for SDAs for Title II-A Programming. These standards may be expressed in terms of revised estimates for the SDA based on economic or social conditions, or a conditional rate to be applied based on proportions of target groups actually enrolled.

d. SDA Incentive Allocation Standards for Title II-A Performance. Allocation formulas will be expressed in terms of the rewards for SDAs meeting or exceeding various standards by certain proportions (for example, 3% bonus based on meeting average of all standards; 4% bonus exceeding standard by 10%, etc.)

e. Adjusted Performance Standards for State-level Programs Title II-A and III.

1. Dislocated Worker
2. Older Worker
3. Education Programs
4. Special Groups

6. JTPA Fund Allocation Plan. The governor must follow a mandatory formula for the allocation of the 78% of Title II-A to be administered by SDAs (JTPA Section 202(a)(2)). If there is a state-wide SDA there is no allocation to be made. Allocation of the state-level Title II-A programs and the Title III dislocated workers funds should also be included in the plan so that the SJTCC can "plan resource allocations not subject to formula distribution to the SDAs." But this may again overstate SJTCC capability. Ideally, the state disseminates this knowledge in the state to all interested in JTPA planning. Community agencies need to continue to develop proposals. Local agencies need to plan for coordination with and possible funding from state-level resources. Section 141 requires the governor to make known to local PICs the state-level grants to be funded in SDA areas. Broadly construed, this would require full sharing of information in advance on state-level funding plans. There is no mandatory format for sharing this program information (or even a requirement that comprehensive information be shared), so the following format for a "fund allocation plan" is hypothetical.

A. Title II-A Formula Allocations to SDAs (78%).

B. Title II-A State-level Programs (22%).

1. General State Responsibilities (5%).

a. State JTPA Agency Planning/Administration/Labor Market Information, etc.

b. SJTCC Support Allocation.

c. Special State Programs Allocation: earmarked programs or open proposals.

2. Older Worker (3%) allocation by SDA or other geographic area vs. available for state-wide RFP vs. special earmarked programs.

3. Education Grants (6%).

a. Allocation of funds to Education Agency/System: Higher, secondary, vocational.

b. Georgraphic division by SDA or School District.

c. Matching requirement.

4. Education Coordination Grants (2%).

C. Title III Dislocated Workers Funding Allocation.

1. Matching requirement.

2. Total funds available and amounts earmarked for special projects or delegation to other state agencies.

3. Geographic distribution by SDAs or other areas vs. available state-wide competition.

7. Planning Instruction to the SDAs. Section 104 describes the SDA Job Training Plan in some detail at a general level, but the state must issue detailed instructions for completion of the plan to ensure that there is sufficient material for the review required in section 105(b). In addition, the state, in its oversight capacity over the local planning process, must ensure there is an adequate plan to accomplish the program effectively or that the state can see where technical assistance is required. The plan must also be specific enough to provide the basis for an "understanding" between the PIC and the Local Officials, so that the disagreements can be mediated. Finally, the state should guard against plans which are so awkward and voluminous that they cannot be easily reveiwed. This manual will deal in depth with the nature and content of a sound local Job Training Plan in the next chapter on SDA planning (Section IV.A). The outline below is built around the five major issues (each composed of many sub-issues) on which the state is authorized to accept or reject the plan based on Section 105(b).

a. Capacity of the Administrative Entity. Most states will want to be assured of such issues as the soundness of the corporate structure (nonprofit or governmental), the clarity of the authority relationships, accountability to the PIC/Official Partnership, the agency management systems for such key issues as contractor selection, procurement, property and personnel.

b. Accounting System and Protection of Funds. The plan should describe the accounting systems and internal control systems, bonding, personnel and banking procedures.

c. Compliance with the Act. The Act is complicated and demanding. The list of key compliance issues may be long and somewhat different in each state. Some key issues will revolve around "cost limitations" which can only be reviewed with a detailed budget format which will document "administration" and "supportive services" costs. States may or may not require "line item" type budgets.

d. Compliance with the coordination criteria. Each state will have to analyze the specifics of their own criteria to determine what questions should be asked from among the kinds of questions posed in the discussion immediately preceding on coordination criteria.

e. Acceptable corrective measures on previous audits.

f. Acceptable corrective measures for performance standard deficiencies. This provision will put the state deeply into questions of program design in the SDAs which have failed to meet the standards. The state may require a fairly detailed exposition of overall program design in services such as is outlined in Section IV.A of this manual. A soundly constructed plan document will facilitate the review of legal compliance issues and can form the basis of any needed technical assistance and corrective action plans when trouble requires state intervention.

8. Request for Proposals (RFPs) or Other Solicitations to Potential Service Providers. These documents are not part of the formal JTPA planning system, but they are essential links in the planning cycle. The funds to be apportioned are the General State Grants, the Older Worker and Dislocated Worker Programs, the State Education Grants, and for single-SDA states, the Title II-A (78%) funds. The authority for SJTCC involvement in this process is JTPA section 122(b)(2) which empowers the SJTCC to "plan resource allocations not covered by formula distribution." At a minimum, the SJTCC ought to be involved in and generally approve the key policy issues in the RFPs issued at the state-level programs and state-wide SDA programs. By extension these documents will become part of the public record and must either be incorporated in the governor's state plan or be in harmony with that plan. Neither the Act or Regulations cover this process (Section 107 applies only to SDAs). State procurement and contracting regulations may to some degree guide the process. But not all funds must be allocated by RFP; there is definitely place for delegation through interdepartment agreements, subgrants to SDA, or the solicition of proposals from special agencies. An example of such arrangements will be the delegation of the Education Coordination and Grants program to appropriate

state education agencies. However, regardless of the form, the distribution plan and the distribution mechanism should be part of the formal planning process. The mechanisms through which these service providers are procured should address the following issues:

a. Geographic distribution of services, whether it be state-wide without restriction or allocation for each SDA area.

b. Program design issues implicit in the RFP specifications or delegation agreements.

c. Performance standards for the program.

d. Coordination criteria for working with SDAs in the area or related state agencies.

State JTPA Agency Management Guides and Standards.

Importance. Despite the fact that this may seem like a housekeeping question, the administrative style" and regulations promulgated by the state may dictate program content and the type of Service Provider that may participate in the program. The SJTCC mandate to be involved is found in JTPA Section (b)(2) which empowers the SJTCC to provide "management guidance and review for all programs in the state." While again stretching the capability of the SJTCC the state council ought to prepare itself to deal with the policy issues implicit in management and provide a "court of appeal" for agencies suffering from heavy-handed or capricious management practices. This function may be especially important for community agencies who will be sorely challenged by certain aspects of JTPA, particularly the restrictions on administrative costs.

Background: JTPA programs have been exempted by the JTPA Regulations Section 629.1.c from most of a huge body of Federal regulatory law and management guidance which had been codified and improved over the past decades. These key documents are listed in figure 4, "Source Documents for Prior Federal Management Practice."

Figure 4

SOURCE DOCUMENTS ON PRIOR FEDERAL MANAGEMENT PRACTICE IN EMPLOYMENT AND TRAINING PROGRAMS

1. CETA Regulations: Comprehensive Employment and Training Act Regulations, Final Rule; 20 CFR 675-680. (Expiring 9/30/83 but still useful as a guide to former practice.)

2. DOL Administrative Requirements: Administrative Requirements Governing All Grants and Agreements by Which Department of Labor Agencies Award Funds to State and Local Governments, Indian and Native American Entities, Public and Private Institutions of Higher Education and Hospitals, and Other Quasi-Public and Private Nonprofit Organizations. 29 CFR 70.100-70.216. (Published in the Federal Register, July 20, 1979), JTPA is exempted from these requirements except for Sec. 29-70.102, "Direct and Indirect Costs."

3. Federal Uniform Requirements -- State and Local Government (A-102): Office of Management and Budget (OMB) Circular A-102, "Uniform Administrative Requirements for Grants in Aid to State and Local Governments." (As published in the Federal Register, September 12, 1977, and as subsequently amended.)

4. Federal Uniform Requirements -- Nonprofit (A-110): Office of Management and Budget Circular No. A-110, "Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." (As published in the Federal Register, July 1, 1976, and as subsequently amended.)

5. Federal Cost Principles -- State and Local Government (A-87): "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments." (As published July 18, 1974, and as subsequently amended. Formerly known as FMC 74-4.)

6. Federal Cost Principles -- Nonprofit (A-122): Office of Management and Budget Circular No. A-122, "Cost Principles for Nonprofit Organizations: (As published in the Federal Register, July 8, 1980, and as subsequently amended.)

7. Uniform Audit Guidelines: Guidelines for Financial and Compliance Audits of Federally Assisted Programs, U.S. General Accounting Office, February, 1980. (As published in the Federal Register, April 2, 1980.)

Note: CFR means Code of Federal Regulations. Citations are customarily given as follows: Title of the Code, the abbreviation CFR, followed by Chapter and Section as in 20 CFR 676.23.

The Governor's Coordination and Special Services Plan (the State JTPA Plan background). The State JTPA Plan was an omnibus document covering a two year period which describes all of the state's actions to organize JTPA and "the use of all the resources provided to the state and its service delivery areas and... evaluating the experience of the preceding two years." The State JTPA Plan is the only submission to DOL on the program in the state (other than quarterly expenditure and program activity reports). As such it is also the major publicly available "agreement" between the State Job Training Coordinating Council and the interested public as to how JTPA is to be run in the state.

The New Planning Periods. The JTPA cycle consists of two program years, each running from July 1 to June 30.

The "Two-Year Plan" is due in the spring of even numbered years at a date set by DOL. It begins operating on July 1 of that year. This means that planning for that two-year period may begin in the fall of the odd-numbered year preceding it.

It would seem appropriate that the State Plan be submitted after the local SDA plans have been received by the state so that the State Plan could perform a synthesizing function. This assumes that ideally the governor would issue the "State Policy and Organization Guidance" document to the SDA and State Agencies well before the SDA plans must be submitted to the State.

SECTION F: Topical Outline of a State Plan

Content. The State Plan is primarily a policy statement and general systems description and contains few specifics on Service Providers and concrete program detail. The outline below is of a complete plan. It is considerably more than DOL demands, but it may be needed to systematically set forth state plans.

1. Governor's Statement of Goals and Objectives. Although not formally part of the plan, the Governor's Statement of Goals and Objectives would form a very appropriate introduction to the plan and would add valuable material and perspective to it. Especially important to the total plan are:

   a. Program Priorities.

   b. Administrative Initiatives for Organization or Coordination.

   c. Priority Occupations/Industries for Training.

   d. Economic Forecast and Economic Development Strategy.

2. Appraisal of Previous Performance: data by area and program, discussion of accomplishments and problems.

3. State-wide Performance Goals.

   a. National Goals adapted to state by participant groups (youth, welfare, etc.), entered employment rate, cost/entered employment, cost/other positive outcome, etc.

   b. State Goals adapted to specific SDAs based on client-mix and program service profile.

   c. State Goals: Adaptations to Component JTPA Programs.

   d. Summary of numerical performance goals for state, SDA, state-level programs. Total established performance goals for state.

4. State-wide Coordination Plan.

   a. Governor's Coordination Criteria for Local Level Activities (see discussion above).

   b. State-level Coordination Policies

      -- Employment Service
      -- Work Incentive Program
      -- Dislocated Workers.

5. State-level Administrative Plan.

   a. Administrative Organization with Chart.

   b. State JTPA Agency: Organization, Staffing.

   c. Composition of State Job Training Coordinating Council and Secretariat Support.

   d. Designated Education Agencies for State Grants.

6. State Administrative Systems.

   a. Technical Assistance Plan and Resources.

   b. Labor-market Information Programs.

   c. Auditing (monitoring policies and procedures).

   d. Management Information Systems.

7. Service Delivery Area Plan (see discussion above).

   a. Final map of SDA areas.

   b. Rationale of Plan.

   c. Data on SDA Populations and Labor Markets.

8. SDA Area Plan Summary/State-wide SDA Plan.

   a. Funding Allocation of the II-A/78% funds and II-B summer funds.

   b. Profile of each SDA program:

      -- Identity of Grant Recipient/Administrative Entity.

      -- Program Profile: Regular vs. Youth Programs, Special Programs, etc.

9. General State Responsibilities Plan (Title II-A/5%).

   a. State JTPA Agency Budget.

   b. State Council (SJTCC) Budget.

   c. State PIC Budget (if applicable).

   d. Training, Technical Assistance, LMI Activities.

   e. Sepcial Services Funding: Model Projects, Special Groups, State-wide Joint-funded projects, etc.

10. SDA Performance Incentives and Technical Assistance Plan (Title II/6%).

   a. SDA Incentive Formula.

   b. Allocation of Resources.

   c. Technical Asistance for Service Improvement and Corrective Action.

11. State Education Coordination and Grants (Title II/8%).

a. Identification of Responsibilities.

b. Geographic Distribution of Resources.

c. Coordination Activities (2%).

d. Grant Service Delivery/Selection Procedures (6%).

e. Matching Resources.

12. Older Worker Program (Title II-A/3%).

a. Distribution of Resources-Geographic or Other.

b. Earmarked Programs/Selection of Providers.

c. Program Priorities/Requirements.

13. Dislocated Workers (Title III): The Dislocated Worker Plan is sometimes considered separately from the main State Plan.

a. Dislocated Workers' problems.

b. Coordination with Local SDA/PICs.

c. Resource Distribution by Area or Industry, etc.

d. Allocation of Funds (Administration/Program) and Match Provision.

e. Earmarked Programs/Selection of Providers.

f. Special Coordination Mechanisms.

CHAPTER IV -- Local Level JTPA Planning

SECTION A. Job Training Plan Content and Review.

This section of the manual has possible ideas for the format in which the local Public/Private Partnership sets down the decisions it has reached. These decisions include the administrative and planning arrangements and program design, which are put into one comprehensive document -- the Job Training Plan. The next section will review the process by which the plan can be developed, negotiated, publicized, commented upon, revised, submitted, reviewed and approved. Also, it will include how decisions can be appealed.

THE JOB TRAINING PLAN

Scope and Nature of the Plan. This plan is the central document of the SDA decision making and planning process. It, and subsequent modifications, is the only document specifying the organizational arrangements and program plans of Public Private Partnership for the SDA. (It is the comparable document to the Governor's Special Services and Coordination Plan at the state-level.)

Its provisions describe (1) the agreement between PIC and the chief elected officials, (2) the framework in which service providers must operate, (3) how the participants receive services.

It represents a certification of compliance with JTPA requirements and an explanation of how compliance is accomplished.

It is also the governor's principal mechanism to dialogue with the SDA about problems and to identify technical assistance needs.

Given the flexibility of JTPA and the lack of detailed implementing regulations from the Federal level, it is the only readily available document identifying how the JTPA mandate and requirements are to be met by a SDA. As a consequence, all are involved in the planning process -- PIC members, appropriate CEOs, and the interested public -- should work to ensure that it is well organized, complete, and explicit.

Normal Timing and Duration. The Job Training Plan is to be a two year document covering two "program years" running from July 1 to June 30. Funds from the Federal Fiscal Year starting October 1 the year before will be applied to the Program Year starting July 1, and may also be spent through the following two year period. (This schedule will avoid the planning chaos caused by chronically late Congressional appropriations.) It is assumed the SDA will get separate grants for each program year as the funds are appropriated by Congress. Therefore, annual modifications of the two year plan may be necessary to adapt to the

changes in funding level. You may hear people talk about the first plan, or second plan. The time periods the plans cover is listed below.

First Plan:	October, 1983 - June, 1984
Second Plan:	July, 1984 - June, 1986
Third Plan:	July, 1986 - June, 1988

SECTION B. Topical Outline of a Job Training Plan

Contents of the Job Training Plan. JTPA Section 104 contains a clear, well organized outline for the contents of the plan. The format below follows the basic organization of that outline, but identifies additional subsections that would make the document a more complete plan.

Each governor's State JTPA Agency has issued planning instructions to the SDAs which will clarify or expand upon the Federal requirements. To the extent specified, the state instructions are mandatory and each state has its own rules and format. Therefore, this outline is simply a guide that shows the important questions that probably should be dealt with in the plan if it is to be locally useful both to those inside and outside the planning process:

1. Administrative Arrangements in the Service Delivery Area.

   a. Grant Recipient and Administrative Entity: Identity, Organization/Staffing and Responsibilities.

   b. Private Industry Council: Composition, Role/Responsibilities, Staffing and Procedures.

   c. Appropriate Chief Elected Officials: Identity, Role/Responsibilities, Intergovernmental Agreement to fulfill their role in the "Partnership."

2. Description of Services to be Provided.

   a. Outreach and Intake of Participants (see related plan in eligibility determination, No. 3 below).

   b. Participant Service Planning/Case Management. Assessment of training needs and ability to benefit, assessment of supportive services needs, assignment to services, calculation of "needs based" payment, transfer/termination procedures and responsibilities, job placement, follow-up.

   c. Pre-Vocational Training Services -- Youth: Services provided, average and maximum length, capacity in slots and annual number served.

      1. Exemplary Program: Work Experience/Classroom Training.

2. Exemplary Program: In-school employment transition services.

3. Exemplary Program: Employee try out with for-profit employers.

4. Basic Education/GED Preparation.

d. Pre-Vocational Training -- Adult: Includes description of services, length of enrollment, capacity in slots/total served.

1. Work Experience (only to extent allowed by Section 108, "Restrictions on Costs" unless waiver is requested).

2. Basic Education.

3. Job Readiness/Job Seeking Skills.

e. Skills Training (with services, length, capacity of each).

1. Classroom training occupations.

2. On-the-job training: marketing/brokering arrangements, cost limitations, contract format.

3. Customized training for specific employers: amount reserved for employer proposals, cost/slots allowed, targeted occupations/industry.

f. Job Development/Training Marketing Services:

1. The overall marketing strategy.

2. Integration or coordination with Employment Service, Area Job Bank, other agencies doing placement, and neighboring SDAs.

g. Support Services:

1. Needs-based payment format, procedures, eligibility. (This replaces allowances.)

2. Arrangements to ensure nonduplication of Unemployment and Welfare benefits.

3. Supportive Services directly provided by JTPA.

4. Other supportive service available through welfare and related agencies.

3. Eligibility Determination and Acceptance for Service.

   a. Administrative responsibility for certification of eligibility.

   b. Arrangements to notify interested potential participants of available services (public information).

   c. Arrangements to equitably apportion service opportunities geographically and by significant population segments.

4. Performance Goals. These goals must be stated in terms of the National Performance Standards as adapted by the governor for use in the state and for the specific SDA.

   a. Service Goals by Target Groups:

      1. Adults: Total Served, Total Terminations, Entered Employment Rate, Cost/Entered Employment.

      2. Youth: Total Served, Total Terminations, Entered Employment Rate, Positive Termination Rate (includes entered employment plus other positive outcomes as determined by the PIC), Cost/Positive Termination.

      3. Welfare Recipients: Total Served, Entered Employment Rate, Cost/Entered Employment, Number Leaving Welfare, Reduction in Welfare Payments.

   b. Total Service Level: Number Served, Terminations Entered Employment, Employment Rate, Cost/Entered Employment.

   c. Average Entry Wage.

   d. Duration of Employment after Entry (standard under development).

   e. Income Gain; Wage Gain.

5. Selection of Service Providers.

   a. Procedures:

      1. Schedule for Selection.

      2. Method of Selection: Open request for proposals; limited solicitation of proposals; negotiation or other methods.

3. List of Service Providers already designated, if any, and their roles, budgets, summaries of objectives, evaluation criteria, etc.

b. Evaluation of Past and Potential Service Providers:

1. Past performance, quality and relevance of service.

2. Past performance, cost and outcomes.

3. Fiscal and administrative accountability.

4. Other criteria.

6. Budget: Two year period at level of detail required by the state.

a. Cost by Operating Unit	Training	Administration	Support Services
1. CEO/PIC Support		XXX	
2. Planning/Evaluation		XXX	
3. Administration		XXX	
4. Central Client Services	XXX	XXX	XXX
5. Service Programs		XXX	XXX
6. Training Programs (classroom, OJT, custom, etc.)	XXX	XXX	
7. Youth Programs	XXX	XXX	
8. Job Placement/Marketing	XXX	XXX	

b. Criteria for Performance Based Contracting.

c. Schedule and Phasing of Cost by Month, etc; procedures for reprogramming unexpended funds.

d. Any Request for Waiver of Cost Limitations on supportive services and client payments permitted by JTPA Section 108c. This requires joint petition to governor from both the PIC and CEOs with appropriate justification.

7. Coordination Mechanisms under Governor's Coordination Criteria: These measures must describe coordination relationships with related state agencies, state-level JTPA programs and other programs and systems specified by the governor.

   a. Employment Service: Unemployment Insurance Job/Service.

   b. Welfare: Public Assistance and Supportive Services.

   c. Vocational Rehabilitation.

   d. Vocational Education Agencies: Area Vocational Schools, Community Colleges, etc.

   e. Local Education Agencies (secondary schools).

   f. Apprenticeship Training Agencies.

   g. Regional Planning Agencies and Economic Development Agencies.

   h. State-level JTPA Programs: Displaced Worker, Older Worker, Education Grants, etc.

   i. Other related services to be utilized if possible and not duplicated without justification.

8. Coordination Mechanisms with Adjacent SDAs in the same Labor Market (if there are any):

   a. Assessment of common areawide needs and areawide labor market opportunities.

   b. Methods to enable participants in all SDAs to take advantage of training opportunities in other SDAs throughout the labor market (such as buy-in arrangements).

   c. Labor marketing job placement mechanisms (such as exchange of job orders and participation in Employment Service Job Bank).

9. Financial and Administrative Management Systems.

   a. Organizational Responsibility and Staffing in SDA.

   b. Accounting and Internal Control Standards: Banking, contracting, advances, reporting, disbursements, etc.

c. Eligible Cost Standards/Expenditure Control.

d. Audit Procedures: Internal and subcontractor.

e. Audit Clearing, Collection of Debts, criteria and procedures for cancellation of contracts.

10. Management Information Systems and Reporting to the State (also see JTPA Section 165c, "Recordkeeping").

a. Basic Program Data Systems:

1. Participant characteristics.
2. Participant tracking during enrollment.
3. Participant service records and componenet length.
4. Termination: Employment Characteristics, Other Outcomes, Youth Competency Attainment.
5. Follow-up: Earning, Welfare Payments, Employment.

b. MIS, Personnel, Systems.

c. Format of Annual Report to Governor. Profile of activities and expenditures; participant characteristics; actual performance in relation to performance standards; narrative of problems and achievements, self appraisal.

Community agencies have an interest in good planning and sound and complete plans. It is only through such a process that they can ensure services for their constituency and fairness for themselves. It is only with a good plan to review that community agencies can have a meaningful dialogue with the PIC and CEOs on behalf of their clients and agencies.

SECTION C. Reviewing, Contesting and Approving the Job Training Plan

JTPA provides for an open planning process with ample opportunities to become aware of the contents of the plan, to bring concerns to the attention of the local PIC or CEO authorities and to make formal appeals to the governor. What it does not have is the supervisory presence of DOL enforcing certain requirements and providing a readily available higher "court of appeals."

The automatic right of appeal to DOL is limited to the PIC and chief elected officials appealing decisions of the governor to DOL. Local community agencies have no guaranteed right of appeal of local or state decisions.

To establish their standing as an "Interested Party" in an appeal to the governor about the local plan, they must have participated in the early phases of plan development.

JTPA Section 105, "Plan Review", contains a clear and sequential explanation of the process which will be discussed below.

Job Training Plan Review and Approval Process. Requirements are specified in Section 103 on the PIC and Partnership Process and in Section 105 on Plan Review. Combining these two sets of requirements, the following is one of many possible scenarios describing the plan approval process.

1. Plan preparation by the planning entity under procedures negotiated between the PIC and the CEOs. The plan could be prepared by the PIC staff, local government staff, or other party depending on the agreement of that "partnership". The plan should be based on policy consultations with or without directives from the PIC and elected officials to the planning staff. Once prepared, the plan should be presented to the PIC and chief elected officials for preliminary approval.

2. Concurrence by the Partnership, Negotiation of Differences or Dissolution of the SDA by the Governor. JTPA Section 103d requires approval of the plan by the PIC and the appropriate chief elected officials and joint submission to the governor.

If a disagreement prevents the acceptance of the preliminary plan by both parties or the submission of the final plan to the governor, then there is a "crisis" in the SDA. Section 105c(1) empowers the governor to break the stalemate by dissolving the SDA and assinging it to one or more adjoining SDAs. Since such a solution would cause so many problems, it is asumed that the governor would make efforts to mediate a compromise. However, a determined member of the partnership is given a potentially absolute veto power over the other.

3. Publication of the Plan and Public Comment. Assuming that agreement was reached within the PIC/CEO partnership (or was being worked on concurrently during the plan review period), the draft Job Training Plan is to be published 120 days before the start of the new program year, on approximately March 1.

JTPA Section 105a further requires that copies of the plan or a plan summary must be broadly distributed to the state legislature, local education agencies, local public agencies, and affected labor unions. It is assumed that community agencies could get themselves on the distribution list or obtain a copy from a friend.

Public hearing and media presentations are encouraged but not required.

The implication is that those agencies with strong feelings about the plan would use the period between draft and final plan to make their concerns known. They could use written comments to the PIC or chief elected officials or they could make informal comments to the staff, PIC members and officials. It could be assumed that local governing bodies would become aware of the plan contents either through formal submission or their own efforts. It could also be assumed that interested parties would be directing their efforts strategically to the PIC, CEOs or local government officials depending on where they thought they would have the most impact.

4. Preparation of a Final Plan/Local Government Approval. JTPA Section 105a(2) requires a republication of a "final plan" approximately April 10, (or 80 days before July 1) which would presumably have been modified to reflect comments received.

At some point, the original or the revised plan would also be submitted to the governing bodies of some or all of the governments for formal approval. However, JTPA is silent about the need for any official local government approval; JTPA only requires the PIC and appropriate CEOs to agree on the plan. It would be useful for the intergovernmental agreement designating the appropriate chief elected official (or SDA planning procedures) to identify at what point, if any, local government governing bodies are to be involved.

5. Publication of "Final Plan" and Submission to Governor for Approval. This final plan must at least have satisified the PIC and appropriate CEOs. The CEOs presumably will have complied with whatever approval procedures bind them in their jurisdiction.

Once published on approximately April 10 (or whatever date all the parties have agreed upon), the plan is formally submitted by the SDA administrative unit to the governor for review. At this point, the governor will begin to receive formal and informal comments on the plan and has 30 days to make a ruling.

6. Petition to the Governor for Disapproval of the SDA Job Training Plan. JTPA Section 105b(3) provides "Interested Parties" with the right to petition the governor to disapprove the SDA plan "based on a violation of statutory requirements."

To qualify as an "Interested Party," the party must (a) "represent a substantial client interest," and (b) have taken "appropriate steps to present its views and seek resolution prior to submission."

The grounds for the petition must be based on a statutory provision rather than some judgment that the plan is ill advised or will fail. However, many provisions of the statute are sufficiently broad, vague and highly idealistic to make them subject to appeal. An example might be questions whether the

plan would serve the 40% youth enrollment required by JTPA Section 203b without the inclusion of special exemplary youth programs and work experience components. Or a complainant might dispute that Section 107 had been sufficiently complied with if a fair evaluation of past performance was not planned.

Once a petition is submitted, the governor has 15 more days (up to 45 days) to review the SDA Plan. A formal written response must be given to each legitimate petition.

7. Review by the State Job Training Coordinating Council. JTPA Section 122b(3) requires that the SJTCC review the SDA plan, "advise" the governor on it and "certify the consistency of such plans with criteria under the Governor's Coordination Criteria." This is a mandate to review the entire plan and recommend approval or disapproval. However, the governor has no obligation to do anything with these recommendations.

8. Governor's Review of the SDA Plan. JTPA Section 105b rather narrowly defines the governor's powers to review the plan (in accord with Congressional intent).

a. Strength and apparent feasibility of the SDA arrangements for Grant Recipient and Administrative Entity from the perspective of administrative capacity and ability to safeguard funds.

b. Minimum compliance with the Governor's Coordination Criteria.

c. Compliance with all legal provisions of JTPA.

d. Development of acceptable corrective actions for past deficiencies in meeting performance standards or administering funds.

However, depending on the situation and the governor's intentions, the criteria are quite expandable to cover a review of the whole plan. While the governor cannot make simple value judgments or qualitative appraisals, he or she can determine that, for example, coordination efforts were inadequate, or the administrative structure needed strengthening, or that there was too much unjustified duplication of facilities (as prohibited by JTPA Section 141h). And if the SDA had gotten into trouble, the governor has considerable powers to force profound changes in SDA through SDA Plan Review and Section 106h in the Performance Standards section.

9. SDA Appeal of Governor's Disapproval of the Plan. JTPA Section 105b(2) gives the SDA the right to appeal any plan disapproval to the Department of Labor which must act on the appeal within 45 days. Individual "interested parties" do not have the right to appeal to DOL.

10. Approval of Modifications. Modifications of plans require the same procedures except for the publishing of a draft plan 120 days in advance. Publication must be 80 days prior to implementation.

Appealing and Contesting the Plan. The above procedures seem to provide ample opportunity for the energetic and informed community agency to present its point of view. This can probably be best accomplished by working with PIC, Administrative Entity or the governing bodies of local government. Effective use of the 40 day local comment period must always be tried first.

However, purely behind-the-scene efforts may be insufficient in "life or death" situations. In such cases, it may be important to get the concern "on the record" so that subsequently the agency will have established itself as an "interested party" with the right of petition to the state for disapproval.

It is impossible to guarantee that all this machinery will work in any given state, but at least there are some statuatory mechanisms in place to help make sure that a community agency's voice will be heard.

SECTION D. Sources of Information and Assistance

Organizations need a core of information on JTPA to participate fully and effectively.

This chapter lists the basic documents that a JTPA Library should include from the federal, state, and local levels. It is also a resource listing for technical assistance sources.

THE MUSTS: LEGISLATIVE, REGULATORY, AND POLICY DOCUMENTS

A. National JTPA Documents: These documents can be requested through your Congressperson; or through one of the national training and technical assistance providers; or requested directly from the U.S. Department of Labor, Employment and Training Administration, 601 D Street NW Washington, D.C. 20213.

____ A copy of the Job Training Partnership Act Legislation (Public Law 97-300)

____ DOL JTPA Regulations as published in the Federal Register (or as updated quarterly in the Code of Federal Regulations (20 CFR Parts 626 to 638)

____ DOL Directives, Policy Interpretations, and Memorandums to State JTPA Agencies. (Request to be placed on the DOL mailing list for these.)

B. State JTPA Documents: These documents should be requested directly from your state JTPA administering agency.

____ Membership List of the State Job Training Coordinating Committee.

____ Policy directives and technical assistance publications. Request to be placed on the mailing list.

____ Requests for Proposals issued by the State using non-Title II JTPA funds. Write each administering agency of the various JTPA funded programs on the state list and ask to be added to their distribution list for RFPs.

____ Minutes of the State Job Training Coordinating Committee meetings.

____ Copy of the Governor's Coordination and Special Services Plan.

____ Service Delivery Areas and Grantee and Administering Agency for each.

C. Service Delivery Area Documents: Contact the Private Industry Council or Administering Agency in your service delivery area to obtain copies of these documents.

____ Membership of the Private Industry Council. Names, addresses, telephone numbers.

____ Copy of PIC By-Laws, copy of local elected official and PIC agreement, and agendas and minutes of the PIC meetings.

____ The SDA Job Training Plan(s). (This may be in one-year sections.)

____ Procedures for Amending the SDA Plan.

____ Requests for Proposals or Contract Bidding notifications issued by the PIC.

____ Planning process for development of next two year plan.

D. TRAINING AND TECHNICAL ASSISTANCE RESOURCES: Ideas and Specialized Assistance

There are a number of national training and technical assistance resources. A very few have been funded by the DOL to provide special assistance to particular JTPA constituencies. Most provide their services through a fee structure. Many offer direct consultation and on-site assistance. All of them produce publications. Those that emphasize your role in JTPA or provide targeted assistance in areas in which you wish to expand should be contacted for information on the services that they provide, publications available, and the cost for assistance.

____ The CENTER for Local and Community Research, now called the CENTER for Community Futures.

P.O. Box 5309, Elmwood Station, Berkeley, Ca, 94705
1-800-THE-CNTR or 415-654-9036

The CENTER offers publications, seminars, and on-site assistance to the full spectrum of JTPA entities.

____ NATIONAL ASSOCIATION OF PRIVATE INDUSTRY COUNCILS, 810 18th St., NW, Suite 705, Washington, D.C. 20006
202-223-5640

NAPIC is a national membership organization for PICS and offers seminars, frequent updates, and publications of particular interest to PRIVATE INDUSTRY COUNCILS.

____ The UNITED STATES CONFERENCE OF MAYORS,
1620 Eye Street, NW, Washington, D.C., 20006
202-293-7650

The primary constituency for their services are JTPA program operators that are located in USCM member CITIES AND TOWNS.

____ NATIONAL ASSOCIATION OF COUNTIES,
440 First Street, NW, Washington, D.C. 20001
202-393-6226

COUNTY JTPA based programs can obtain assistance from NACO.

____ HUMAN RESOURCES DEVELOPMENT INSTITUTE, AFL-CIO,
AFL-CIO Headquarters Building, 815 Sixteenth Street, NW
Room 405, Washington, D.C. 20006
202-638-3912

HRDI works primarily with state labor federations and local labor UNIONS on Title III of JTPA, the DISLOCATED WORKERS PROGRAMS.

____ AMERICAN VOCATIONAL EDUCATION ASSOCIATION,
2020 North 14th Street, Arlington, Virginia 22201
703-522-6121

This organization is concerned with the State Education Coordination and Grants section of JTPA and with EDUCATIONAL partnerships in general.

____ NATIONAL ASSOCIATION OF STATE UNITS ON AGING,
600 Maryland Avenue, SW, Room 208
Washington, D.C. 20024
202-484-7182

NASUA has prepared a number of publications on OLDER WORKERS and JTPA (including the 3% set-aside) and hosted conferences to provide assistance in operating effective programs for this target group.

____ NATIONAL COUNCIL ON AGING,
600 Maryland Avenue, West Wing--100, SW,
Washington, D.C. 20024
202-479-1200

NCOA has an extensive publication list of issues concerning OLDER WORKERS.

____ NATIONAL GOVERNORS' ASSOCIATION,
Education and Labor, Hall of the States,
444 North Capitol Street, Washington, D.C. 20001
202-624-5300

Active assistance and publications are provided to GOVERNORS and their JTPA staff, but some publications are also available to others.

____ NATIONAL ALLIANCE OF BUSINESS,
1015 15th Street, NW, Washington, D.C. 20005
202-289-2910

Publications, seminars, and periodicals are offered to all JTPA entities and emphasize the role of BUSINESS and PRIVATE INDUSTRY COUNCILS. (Program models are available on a database.)

____ CHAMBER OF COMMERCE OF THE U.S.,
1615 H Street, NW, Washington, D.C. 20062
301-468-5128

Publications for BUSINESS, CHAMBERS OF COMMERCE.

____ NATIONAL CONFERENCE OF STATE LEGISLATURES,
444 North Capitol Street, NW, Washington, D.C. 20001
202-737-7004

Assistance to STATE LEGISLATURES in JTPA operations within states and their role.

____ NATIONAL ALLIANCE OF BUSINESS
1015 15th Street NW, Washington, D.C.20005
202/289-2910

A wide range of publications and workshops from the business perspective.

____ NATIONAL JOB TRAINING PARTNERSHIP
1620 I St., NW, Suite 330, Washington, D.C. 20006
202/887-9042

Membership organization which SDAs can join. Dues are based on a percentage of JTPA receipts.

CHAPTER V -- Index to Significant JTPA Related Federal Regulations

January 1, 1983 - March 15, 1986

Date	CFR	Caption
01/04/83	20 CFR 626	Establishment of State Job Training Coordinating Councils and Private Industry Councils; designation of Service Delivery Areas under the Job Training Partnership Act.
01/18/83	20 CFR 626 through 20 CFR 638	Implementing regulations for programs under the Job Training Partnership Act (Pub. L. 97-300).
02/08/83	- none -	Job Training Partnership Act (Pub. L. 97-300); allocations under Title III, Section 301 (b); Employment and Training Assistance for Dislocated Workers.
03/11/83	- none -	Job Training Partnership Act (Pub. L. 97-300); proposed allotment methodology for distribution of funds to the territories under Title II, Part A, Section 201 (a); Training Services for the Disadvantaged; Adult and Youth Programs.
03/15/83	20 CFR 626, through 20 CFR 638,	Implementing regulations for programs under the Job Training Partnership Act.
04/12/83	- none -	Secretary's performance standards for FY 1984 under Titles II-A and III of the Job Training Partnership Act (JTPA).
04/26/83	- none -	Job Training Partnership Act; proposed secretary's performance standards and reporting requirements.
05/17/83	20 CFR 628	Job Training Partnership Act (Pub. L. 97-300); announcement of procedures for appeals to the Secretary of Labor on denial of Service Delivery Area designation under Title I, Part A, Section 101 (a) (4) (C); Job Training Partnership Act; Service Delivery System.
06/01/83	20 CFR 632, 633, 634, 20 CFR 684	Proposed rules under Title IV of the Job Training Partnership Act.

Date	CFR	Caption
06/07/83	20 CFR 635	Implementation regulations for Veterans' Employment Programs under Title IV, Part C, of the Job Training Partnership Act.
06/21/83	- none -	Job Training Partnership Act (Pub. L. 97-300); final allotment methodology for distribution of FY 1984 funds for programs under Title II, Parts A and B, Section 201 (b); Training Services for the Disadvantaged; Youth Programs.
07/01/83	20 CFR 675	Comprehensive Employment and Training Act regulations; individuals' eligibility for upgrading.
07/15/83	29 CFR 18	Rules of practice and procedure for administrative hearings before the Office of Administrative Law Judges.
07/15/83	45 CFR 233	Aid to Families with Dependent Children disregard of income of dependent children deprived from participation in programs carried out under the Job Training Partnership Act of 1982.
04/25/83	20 CFR 652	Implementing regulations under Title V of the Job Training Partnership Act.
04/25/83	20 CFR 626	Establishment of State Job Training Coordinating Councils and Private Industry Councils designation of Service Delivery Areas under the Job Training Partnership Act.
04/25/83	29 CFR 31	Nondiscrimination in programs and activities receiving Federal financial assistance from the Department of Labor.
09/02/83	- none -	Secretary's reporting requirements.
09/28/83	- none -	Processing of complaints of discrimination brought under the Job Training Partnership Act of 1982.
10/14/83	- none -	Issuance of the calculation procedures for the secretary's performance standards for FY 1984 under Title II-A of the Job Training Partnership Act (JTPA) in relation to the approved JTPA Annual Status Report (JASR).

Date	CFR	Caption
03/20/84	20 CFR 629 20 CFR 630	Interpretation of Job Training Partnership Act rules and regulations pertaining to Summer Youth Employment and Training Programs.
05/09/84	20 CFR 676	Comprehensive Employment and Training Act regulations final decisions to the secretary.
09/18/84	20 CFR 629 20 CFR 630	Job Training Partnership Act; maximum and minimum limitations on expenditures.
12/04/84	- none -	Numerical values for performance standards for Titles II-A and III of the Job Training Partnership Act (JTPA) in program year 1985.
01/11/85	- none -	Circular A-102, Uniform Administrative Requirements for Grants to State and Local Governments; revision of compliance.
03/28/85	29 CFR 629	Training and Employment Guidance Letter No. 6-84, Job Training Partnership Act; State's Responsibilities in Incident Reporting Procedures.
04/26/85	20 CFR 629	Job Training Partnership Act (JTPA); single unit charge agreements involving training of youths.
05/06/85	- none -	Issuance of Circular A-128 - Audits of State and Local Governments.
06/14/85	- none -	Job Training Partnership Act (Pub. L. 97-300); program year 1985 allotments for programs under Title II, Part A; Training Services for the Disadvantaged; Adult and Youth Programs; Title III Dislocated Worker Program; and 1985 allotments for Title II, Part B, Summer Youth Employment and Training Programs.
07/08/85	20 CFR 626 through 20 CFR 630	Job Training Partnership Act and Targeted Jobs Tax Credit Programs; Lower Living Standard Income Level, Employment and Training Administration. Notice of Determination of Lower Living Standard Income Level; Correction.

Date	CFR	Caption
12/13/85	- none -	Solicitation for Grant Application; Job Training Partnership Act, Title IV, Part C, program year 1986.
1/14/86	51 CFR 9	JTPA Annual Status Report for Titles IIA and III. Includes the draft Performance Standards for the July, 1986 to June, 1988 program.

Center for Community Futures

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* Use technology to improve the effectiveness and efficiency of their operations.
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The following workshops, publications, and other products and services (pp. 55-57) are a sampling of those provided by the Center that are directly relevant to employment and training.

The complete Corporate Capability Statement of the Center for Community Futures is available by writing the Center or by calling 415/654-9036.

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Center for Community Futures

CENTER CONSULTANT RESOURCES

Greg Newton, Senior Associate. Mr. Newton has assisted public and nonprofit agencies across the country on the national, state, and local levels. Because of his expertise on the subject of employment and training programs and older workers, he has planned and delivered hundreds of speeches, workshops, and on-site consultations. He holds a Masters in Public Administration from Harvard University and is the author of this publication.

Alan Zuckerman, Senior Associate. Mr. Zuckerman is an expert on employment and training programs with more than twenty years experience. He has worked for the U.S. Department of Labor, Opportunities Industrialization Centers of America, the Center for Social Policy at Temple University, and the Center for the Study of the Unemployed at New York University. He has provided training and technical assistance to state, county, and city governments, nonprofit organizations and private industry in planning, program development, and services to the unemployed. He has also written policy papers for the National Governors' Associaton, National Commission for Employment Policy, and the National Youth Employment Coalition. He earned a Masters in Business Administration from the Columbia Graduate School of Business.

James I. Masters, Director of the Center. Mr. Masters has twenty years experience as a hands-on operator of public and private programs at the federal, state, and local levels. He is an expert at administering and providing training and technical assistance.

Other Senior Associates of the Center include:

Marilyn E. Blair	John Johnston
Dr. Ray Cloutier	Larry Lillis
Cheryl Cromwell	Ed Schoenberger
Scott Forsythe	Wayne Thomas
Phillip Gillispie	John Wandless
Kathy Humphrey	Donald Will

The Center maintains offices in Boston, Washington, D.C., and Kansas City. The main office is in Berkeley, California.

For more information call James Masters in Berkeley at 415/654-9036, or Greg Newton in Boston at 617/426-5533.

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* Negotiating Contracts and Improving Your Negotiation Style.

* Planning for the Future: Riding the Megatrends to Success.

* How to Introduce Change in Your Organization -- And Get Your People to Support It!

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* Older Worker Programs Can Work.

* Meeting the Requirement for Youth Participation.

* JTPA Title III: Dislocated Workers -- Designing Programs.

D. BUILDING THE LINKAGES THAT WORK

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SUBJECT: **PLEASE SEND ME THE PUBLICATIONS I HAVE CHECKED OFF:**

1. _____ **RECRUITMENT! Finding Customers for Employment and Training Programs.** How to find, reach, and recruit the people you need. By Greg Newton. $44.

2. _____ **The ABC's of the Job Training Partnership Act.** JTPA Guide # 1. Comprehensive overview of structure and functions; index to federal regulations. (76 pp.) By David Knuti. Edited by Alan Zuckerman. $35.

3. _____ **Programs and Activities Under JTPA.** JTPA Guide # 2. What is possible under JTPA. Plus--six model programs. (131 pp.) By David Knuti, Greg Newton. Edited by Alan Zuckerman. $45.

4. _____ **Community Based Organizations and JTPA.** JTPA Guide # 3. Step-by-step techniques for getting JTPA funds. (111 pp.) By David Knuti, Greg Newton. Edited by Alan Zuckerman. $45.

5. _____ **Developing Local Public-Private Solutions for California's Employment Problems.** JTPA Guide # 4. 6 case studies. (154 pp.) By Kathy Humphrey, Mitchell Schwarzer. $35.

6. _____ **County Elected Officials and JTPA. The Rationale and Strategy for Partnership with Community Based Organizations.** JTPA Guide # 5. Use this to help deal with your County. Prepared jointly by the National Association of Counties and Greg Newton. $5.

7. _____ **NexUS.** Take a run at getting JTPA funds. Process techniques and examples. A Unique Simulation Trainer's Manual. By Phil Gillispie. $29.

8. _____ **Integrating Employment and Welfare Programs.** The

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Local Approach to Welfare Reform, Cost Savings, and Better Client Services. Workfare Series. (165 pp.) By Kathy Humphrey. $44.

8. _____ **Integrating Employment and Welfare Programs: Determining Its Cost Effectiveness.** Workfare Series. (39 pp.) By Jack Osman $14.

B. OTHER PUBLICATIONS FOR EMPLOYMENT PROGRAM MANAGEMENT.

1. _____ **Profit Making for Nonprofits.** The definitive "how to" workbook. From A to Z. Models. The ten most common mistakes. Much more! by Greg Newton. $75.

2. _____ **Using Personal Computers in Nonprofit Agencies** Newsletter. Twelve issues. Marilyn Blair, Alan Acacia, Editors. $44.

3. _____ **The Cost Allocation, Indirect Cost Workbook** How to establish and protect your administrative cost structure, and generate extra revenue. Examples, checklists, worksheets. By Wayne Thomas. $49.

4. _____ **Executive Oversight System** Technical manual enables you to answer crucial questions: What are we supposed to do? Have we done it? Can we prove it? Excellent formats for use in making a presentation to your board. By Wayne Thomas. $29.

5. _____ **Monitoring for Change** How to get subcontractors to correct problems. A proven step-by-step system that guarantees results. By Wayne Thomas. $39.

6. _____ **Computer Networks for Employment and Training Programs.** Workbook. By Greg Newton, Jim Masters, and Alan Zuckerman. $10.

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